



MEETING POSTING TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25
All meeting **notices** and **agenda** must be filed, and time stamped with the
Town Clerk's Office and posted at least 48 hours prior to the meeting
(excluding Saturdays, Sundays, and Holidays)

RECEIVED

2024 JUL 12 AM 10:26
NANTUCKET TOWN CLERK
Posting Number:T 641

Committee / Board	AFFORDABLE HOUSING TRUST
Day, Date, and Time	TUESDAY, July 16th, 2024 @ 12:30 PM
Location / Address	REMOTE PARTICIPATION VIA ZOOM (<i>See Below</i>) THE MEETING WILL BE AIRED AT A LATER TIME ON THE TOWN'S GOVERNMENT TV YOUTUBE CHANNEL AT https://www.youtube.com/channel/UC-sgxAlfdoxteLNzRAUHIxA
Signature of Chair or Authorized Person	Ellis Ramos Housing & Real Estate Department Office Manager
WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!	

AGENDA FOR 07-16-24

Please list below the topics the chair
reasonably anticipates will be discussed at
the meeting.

PLEASE CLICK ON FOLLOWING LINK TO JOIN ZOOM MEETING:

Join Zoom Meeting

<https://us06web.zoom.us/j/89074589017?pwd=38P10GohDOzZXsIFOUuNuY87g5d7hfG.1>

Meeting ID: 890 7458 9017

Passcode: 976312

- I. Call to Order
- II. Approval of Agenda – ACTION
- III. Public Comment

IV. Approval of Minutes – ACTION

- June 11th, 2024
- June 25th, 2024

Note: all Trust open meetings are recorded and available on the Town's YouTube channel

V. Announcement -

- The Housing Department will be giving an update to the Select Board on the Strategic Plan - Housing Goals at the July 17, 2024, meeting.

VI. Request and Approval of an extension of a License Agreement between Barrett Enterprises, LLC, and the Affordable Housing Trust Fund at 12 Bartlett Road – DISCUSSION/ ACTION

VII. Review Closing Cost Assistance Program Guidelines and Qualifications – DISCUSSION/ACTION

VIII. Closing Cost Assistance Application—ACTION

- 8 Honeysuckle Drive – Norman Frazee
- 10 Honeysuckle Drive – Shaylyn Maguire

IX. Vote to Approve and Execute the Deed Rider Containing the Affordability Restriction up to 240% of Area Median Income and the Year-Round Housing Occupancy Restriction for:

- 8 Honeysuckle Drive
- 10 Honeysuckle Drive

X. Select Board Quarterly Update - REVIEW

XI. Review Subsidized Housing Inventory List – REVIEW

XII. Review Request for Proposal for: – REVIEW/DISCUSSION

- 135 and 137 Orange Street
- 16 Vesper Lane
- 7 Amelia Drive
- 12 and 12R Bartlett Road

XIII. Executive Session, Pursuant to MGL C. 30A § 21(A)

- Approval of Executive Session Minutes of February 21, 2023; March 21,

2023; July 25, 2023; August 22, 2023; August 29, 2023; September 5, 2023; September 19, 2023; October 31, 2023

- Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 5 Madison Court , where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Affordable Housing Trust Members and the Chair so Declares.

XIV. Adjourn



AGENDA PROTOCOL

For all Town of Nantucket Boards, Committees, Commissions, Work Groups, Councils and Trusts
(herein collectively referred to as "Committees" in this document)

Roberts Rules: Town of Nantucket Committees follows Roberts Rules of Order to govern its meetings as per the Town Code Charter.

Public Comment: Public Comment is to bring matters of public interest to the attention of the Committees. At the Committee's discretion, matters raised under Public Comment may be directed to Town Administration and/or appropriate departmental staff, or may be placed on a future agenda, allowing all viewpoints to be represented before the Committee takes action, if any. Except in emergencies, the Committee will not normally take any other action on Public Comment in its sole discretion.

To facilitate that any individual who wishes to provide Public Comment has the opportunity and to ensure the ability of the Committee to conduct its business in an orderly fashion, the following rules and procedures are adopted consistent with the United States Constitution and the Massachusetts Declaration of Rights.

The agenda for regular Committee meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Committee to take up first. This time is reserved for speakers to address the Committee on matters that are not related to any other Agenda item. If a speaker wishes to address the Committee on a matter that is related to another Agenda item, the Chair will accept public comment when that Agenda item is reached during the meeting.

All speakers are encouraged to present their remarks in an orderly and peaceable manner, without disruption to other speakers.

All remarks will be addressed through the Chair of the meeting.

The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not protected under the United States Constitution and the Massachusetts Declaration of

Rights because it constitutes true threats, incitement to imminent lawless conduct, or engages in conduct that disrupts other speakers.

Each speaker may not exceed three (3) minutes during any Public Comment portion of the meeting.

Disclaimer: Public Comment is not a time for debate or response to comments by the Committee. Comments made during the Public Comment period do not reflect the views or positions of the Committee. Because of free speech principles, the Committee does not have authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.

Unanticipated Business: Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting may be brought up for discussion in accordance with the Open Meeting Law.

Public Participation: The Committee welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at their sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Committee Members may have questions on the clarity of the information presented. The Committee will hear any staff input and then deliberate on a course of action.

Committee Report and Comment: Individual Committee Members may have matters to bring to the attention of the Committee during a meeting. If the matter contemplates action by the Committee, Committee Members will consult with the Chair and/or appropriate Town officials or employees in advance and provide any needed information by applicable Committee deadlines and/or schedule the matter for a future Committee meeting. Otherwise, except in emergencies, the Committee will not normally take action on Committee Comment.

Approved: March 27, 2024

ITEM IV – APPROVAL OF THE MINUTES FOR

- JUNE 11TH , 2024
- JUNE 25TH , 2024

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

TUESDAY, June 11th, 2024.

Remote Meeting via Zoom– 12:30pm

Trust Members: Brian Sullivan (Chair), Reema Sherry (Vice-Chair), Meg Browers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

ATTENDING MEMBERS: Brian Sullivan, Reema Sherry, Meg Browers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

STAFF IN ATTENDANCE: Kristie Ferrantella (Housing Director), Ellis Ramos (Housing & Real Estate Office Manager), Lee Smith (Town Counsel)

SPEAKER IN ATTENDANCE: Colin Frolich (Placemate) , Julia Linder (ACK NOW) , Anne Kuszpa (Housing Nantucket).

I. Call to Order

Brian Sullivan called the meeting to order at 12:30pm.

II. Approval of Agenda – ACTION

Ellis Ramos suggested that they hold the CCAP for Juan Pablo Agüero Cid because the application is missing important information.

Tom Dixon made a MOTION to approve the Agenda with the CCAP being held to a future meeting. Dave Iverson seconded this motion.

ROLL CALL of those participating:

1. Tom Dixon Aye
2. Dave Iverson Aye
3. Reema Sherry Aye
4. Shantaw Bloise-Murphy Aye
5. Meg Browers Aye
6. Penny Dey Aye
7. Brian Sullivan Aye

III. Public comments

AFTH Meeting on June 11th, 2024 at 12:30pm

No public comments.

IV. Approval of Minutes – ACTION

- **May 21st , 2024.**

Meg Browsers made a MOTION to approve the meeting minutes for the May 21st meeting as written.

Reema Sherry seconded this motion.

ROLL CALL of those participating:

1. Tom Dixon Aye
2. Dave Iverson Aye
3. Reema Sherry Aye
4. Shantaw Bloise-Murphy Aye
5. Meg Browsers Aye
6. Penny Dey Aye
7. Brian Sullivan Aye

V. Announcement :

- **Habitat for Humanity Lottery is Open until July 15th for Four Affordable Homes for Homeownership at Waitt Drive**
- **Housing Nantucket Lottery is Open until July 2nd for 6 Affordable Rentals and 16 Workforce Rentals at Wiggles Way.**

Kristie Ferrantella said that there are currently two open lottery opportunities.

The first one is with Habitat for Humanity, and there are four homes for home ownership that are being built on Waitt Drive and the applications are open until July 15th of 2024, people can reach out to Gennifer Costanzo at Habitat for Humanity Nantucket for any questions about the application.

She said that these will serve families making 80% AMI or below and will count towards the SHI list.

She said the next opportunity is with the Housing Nantucket development at 31 Fairgrounds Road ,

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known as Wiggles Way, and this is a rental property lottery. There are going to be six units of Affordable rentals and 16 units of workforce housing restricted at 150% AMI. This lottery is open until July 2nd of 2024.

Penny Dey said that she wanted to let the community know that Ken Beaugrand the former Real Estate Specialist for the Town of Nantucket, has passed away on May 31st and there will be a memorial service on July 13th at 11am at the Saint Paul's Church on Fair Street.

VI. CCAP Application

- **Juan Pablo Agüero Cid – 9 Bluet Court**
- **Martin and Bilyana Ali – 24B Evergreen Way**

Tom Dixon made a MOTION to approve the CCAP application from Martin and Bilyana Ali up to \$15,000 and any unused funds to be returned to the Affordable Housing Trust. Dave Iverson seconded this motion.

ROLL CALL of those participating:

1. Tom Dixon Aye
2. Dave Iverson Aye
3. Shantaw Bloise-Murphy Aye
4. Meg Browers Aye
5. Penny Dey Aye
6. Reema Sherry Aye
7. Brian Sullivan Aye

VII. Request and Approval of a License Agreement for Barrett Enterprises to use the lot at 12 Bartlett Road – DISCUSSION/ ACTION

Kristie Ferrantella said that last week she received a request from Trevor Barrett at Barrett Enterprises that they are in the middle of trying to do a house move , but they learned last week that a utility pole needs to be upgraded and replaced prior to the house move to the site, potentially causing a delay.

Kristie Ferrantella said that Barrett Enterprise is requesting to use the land at 12 Bartlett Road to stage AFTH Meeting on June 11th ,2024 at 12:30pm

the house while the utility pole is being replaced and then they will move the house across the street where it will be used for employee housing for a local business. She said if this is approved, she will work with Town Counsel to draft a license and indemnification agreement for the house to be placed at the Trust property for up to 30 days.

Some discussion followed.

Penny Dey made a MOTION to approve the Barrett Enterprises request and to authorize the Chair or Co-Chair to sign on behalf of the Trust. Reema Sherry seconded this motion.

ROLL CALL of those participating:

1. Tom Dixon Aye
2. Dave Iverson Aye
3. Shantaw Bloise-Murphy Aye
4. Meg Browers Aye
5. Penny Dey Aye
6. Reema Sherry Aye
7. Brian Sullivan Aye

VIII. Request for Funding for Lease to Locals Program – DISCUSSION / ACTION

Kriste Ferrantella said that Lease to Locals is here to speak on their pilot program that they launched last September. She said just as a reminder this was a program that was meant to incentivize home owners to provide Year-round housing in exchange for a financial incentive and this was launched with the ACK Now Community incentives and Placemate is the software company that interacts between the two. She said this program directly aligns with the Select Board's Strategic Plan and specifically goal number three which states to explore incentives to encourage year-round rentals. She said that Colin Frolich of Placemate is here today to discuss the results of the pilot program and the relaunch of the program and an official request for funding from the Affordable Housing Trust.

Kristie Ferrantella asked the Chair to allow public comments from community members who have been involved in the Lease to Locals. Chair Brian Sullivan approved this request.

Jack Bulger from Nantucket Cottage Hospital said he is here to speak about the Lease to Locals

program. He said that the Nantucket Cottage Hospital has been a big beneficiary of the Lease to Locals program, they had 9 Hospital employees find long-term housing through the program.

Maxin Morgan a Nantucket Cottage Hospital long term employee said that she is incredibly grateful for this program for helping her find a long-term housing on the island and a great landlord.

Abby Doyle is a registered Nurse at the Nantucket Cottage Hospital. She said that this program has been nothing short of a miracle for her and her family, without this program she would've had moved to the Island due to housing issues. She said that having this program has allowed her to continue to work and live in the community that she loves and calls home. "This program changed my life," said Abby Doyle.

Criss Troast said that she just wanted to mention that what is important to know about this program is that it is a bridge program, the work that the AHTF is doing is phenomenal in finding ways to bring permanent housing solutions, whether is ownership or rentals into the reality for some many year-round residents, but she thinks that this bridge program is a great short term solution for getting people into homes now until the other solutions come together. She said she hopes that the Trust endorses these programs and takes them on a sponsorship.

Julia Linder said she would like to give a quick update on the program before Colin's presentation. She said this presentation includes a more refined proposal on a funding request for next year, which would be the first year after the pilot program. She said they are hoping to extend an offer to renew to the existing homeowners at a lesser incentive than year one and grow the program with an additional 20 or more units. She said there were also questions on who will administer the program and the Town certainly cannot, due to their limited resources, but Anne Kuszpa from Housing Nantucket is standing by to take over the administration of the program.

Julia Linder said that she will do the fundraising for the cost of operating the program and hiring Placemate for the next year.

Anne Kuszpa said that she discussed it with her Board, and they are interested in taking on this program as Julia mentioned.

Some discussion followed.

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Colin Frolich said that the Lease to Local's program helps convert existing housing stock in a tourist Town and convert them into a year-round rental for a local employee, it helps unlock that missing middle housing and it aligns with the Select Board goals of exploring incentives to encourage year-round rentals. This is a tried-and-true program both on Nantucket and in nine other markets across the country. He said the way it works is that they are connecting property owners and tenants and the way it works is , they make sure the property and the tenant qualifies , and how those are defined varies from market to market, and then they give the property owner the cash incentive to convert the unit. The incentive is usually split into two installments , half at the signing of the lease at half at the end of the lease.

Colin Frolich said that usually this partnership is with a non-profit or a local government so in this case they have been running this program with ACK NOW Community Initiatives. He said the journey starts when they get contacted by property owners, potential tenants , real estate agents and others. The first and most important thing to do it to get on the phone with the property owner to understand their readiness;

- Do they understand the program?
- Are they willing to commit to the restrictions on the program?

Colin Frolich said most often the property owner comes to them already with a tenant in mind , but other times they need help finding a tenant. The next journey is either listing their property on the website or to find a tenant on their own, but ultimately Placemate has to help them to make sure they meet all the term of the program , lastly, they submit the application to ACK Now in this case and they cut the check for the incentive. The incentive is distributed in 50% increments , the first 50% at the signing of the lease agreement and the last 50% at the end of the lease agreement.

He also said that people are finding out about the program, and they are creating a renter's profile, that's the kind of the first step for us to know who they are when they do want to engage with a homeowner that has a property for rent. He said the mask some of the information about their profiles so as to not violate the Fair Housing Act, for example they don't show last names, job titles but rather just employers so there is no discrimination based on job positions. On the renters side , they can find listings on the Placemate website or they give homeowners opportunity to post on other sites, their job is to connect with the homeowner , lastly they review their eligibility, review the lease, verify

moving in, to make sure everything meets the programs terms and then they issue the first half of the incentive. He said that another interesting way that is happening a lot on Nantucket , is tenants are finding the properties convincing the owners with the incentive that this is a good idea and then they start the whole journey there , lastly on the back end this little kind of inside into what they call their program tracker where they have aggregated data as well as property level data that they are able to pull in real time.

Colin Frolich said that as of February 2024 the program has been on pause because they ran out of funds. He said that their initial \$400,000 in incentive funds they were able to house 54 people in total 46 of them being qualified tenants and they are left with a vast waitlist.

Some discussions followed.

Colin Frolich said that that they are asking the Affordable Housing Trust for \$500,000 for September 1 relaunch. They are going to have 22 new properties coming in this fall, and also funding a 50% incentive for returning participants of the pilot program. He said they are not saying that there will be a 100% retention from the pilot program, but they are hoping for at least 80%.

Some discussion followed.

Penny Dey said that she is concerned about using public funds for a project that is not restricted in perpetuity. She said she doesn't want to be in the position of funding something with tax dollars that's not in perpetuity and at the end of this being faced with putting people out of this program, she also said that she would like to hear from Town Counsel if he thinks this is something that the Trust can do .

Kristie Ferrantella said that she is not giving legal advice but in conversation with Jonh Georgio a couple of times as Provincetown just launched their Lease to Locals, and they are actually doing it directly through their Town and he had expressed that there wasn't really a concern around the public fund being used to fund it. When it comes to the fair housing , there will be an agreement that the Town will not be responsible if there was any situation that arose that the Town would be able to be protected against.

Kristie Ferrantella also said that in conversation with the Finance Director she was told that they won't be able to use bonded finds for this program , because bonded funds are meant to be used for the

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purchase of real estate , but she will confirm with Town Counsel.

This item will stay open to a future meeting to allow the Lease to Local Program Administration time to answer all the questions raised by the Trust members.

IX. Other Business

- **Next Meeting is June 25th, 2024, at 12:30pm**

X. Board Comments

No Board comments.

XI. Adjourn

Meg Browers made a MOTION to adjourn this meeting. Penny Dey seconded this motion.

ROLL CALL of those participating:

1. Dave Iverson Aye
2. Penny Dey Aye
3. Reema Sherry Aye
4. Tom Dixon Aye
5. Meg Browers Aye
6. Shantaw Bloise-Murphy Aye
7. Brian Sullivan Aye

This meeting was adjourned at 1:30pm.

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

TUESDAY, June 25th, 2024.

Remote Meeting via Zoom– 12:30PM

Trust Members: Brian Sullivan (Chair), Reema Sherry (Vice-Chair), Meg Browers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

ATTENDING MEMBERS: Brian Sullivan, Reema Sherry, Meg Browers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

STAFF IN ATTENDANCE: Kristie Ferrantella (Housing Director), Ellis Ramos (Housing & Real Estate Office Manager), Lee Smith (Town Counsel), Janelle Austin (Town Counsel)

SPEAKER IN ATTENDANCE: Colin Frolich (Placemate)

I. Call to Order

Reema Sherry called the meeting to order at 12:36pm.

II. Approval of Agenda

Kristie Ferrantella suggested that they move the approval of the minutes (item III) to a future meeting because they are not complete.

Penny Dey made a MOTION to approve the agenda as amended. Dave Iverson seconded this motion.

ROLL CALL of those participating:

1. Meg Browers Aye
2. Dave Iverson Aye
3. Tom Dixon Aye
4. Penny Dey Aye
5. Shantaw Bloise-Murphy Aye
6. Reema Sherry Aye

III. Public Comments

Mary Mack said her comment is about the Lease to Locals' program. She said that they should be looking at this same way as medical professionals make medical decisions that are based on the risks

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versus benefits rationale.

Mary Mack also said that the benefits of funding this program is that people can be housed right now which outweighs the risk of this being a temporary program.

Kristie Ferrantella said in case anybody missed it , the Affordable Homes Act is moving through the legislation process, and it just made its way to the Senate. They did release a bill that does not include the Transfer Fee but does still include the Seasonal Community Designation. She said that the Town has sent a lot of emails out to constituents , there are posts on our social media and website with a template for the testimony. They are encouraging people to write to the Senate President and to Senator Julian Cyr to encourage them to either add an amendment to include the transfer fee or to continue to support the Seasonal Communities designation.

IV. Approval of Minutes

- **June 11, 2024 – *Held to a future meeting.***

Note: all Trust open meetings are recorded and available on the Town's YouTube channel

V. Announcements:

- **Habitat for Humanity Lottery is Open until July 15th for Four Affordable Homes for Homeownership at Waitt Drive**
- **Housing Nantucket Lottery is Open until July 2nd for 6 Affordable Rentals and 16 Workforce Rentals at Wiggles Way.**

Kristie Ferrantella said that there are currently two open lottery opportunities.

The first one is for Habitat for Humanity, and there are four homes for home ownership that are being built on Waitt Drive and the applications are open until July 15th of 2024, people can reach out to Gennifer Costanzo at Habitat for Humanity Nantucket with any questions about the application. She said that these will serve families making 80% AMI or below and will count towards the SHI list.

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The next opportunity is with the Housing Nantucket development at 31 Fairgrounds Road , known as Wiggles Way, and this is a rental property lottery and there are going to be six units of affordable rentals and 16 units of workforce housing restricted at 150% AMI. This lottery is open until July 2nd of 2024.

VII. Review and discussion of Open Meeting Law complaint determination from Division of Open Government, dated April 25, 2024, complaint of Meghan Glowacki

Kristie Ferrantella welcomed Janelle Austin from KPLaw who represents the Trust on this. She has reviewed the determination and any outcome with the Trust.

Janelle Austin said that Kristie Ferrantella had asked her to provide all the members of the Trust with an update. She said as many of them would recall, last summer an Open Meeting Law complaint was filed, by Megan Perry Glowacki and essentially there was an allegation that the Trust violated the Open Meeting Law with respect to an Executive Session that was held on April 7th , 2023. In addition, there was an allegation that the open session minutes were not approved timely. The Trust met to review the allegations of the complaint and issue a response. That response was than provided to the complainant as well as to the Attorney General's Division of Open Government. Following that response the complainant asked the Attorney General to further review the complaint itself and the Attorney General after several months, reviewed everything and issued a determination on April 25th, 2024, and the Trust has been provided with a copy of the determination. There is no further remedial action required at this juncture based on the Attorney General's decisions. She said as the Trust Members might know the meeting minutes from the April 7th, 2023, Executive session were previously released to members of the public with very minimal redactions subjected to privilege under the public records Law . The Attorney General often also had found that the open meeting that the open meeting law do not require the public bodies post their minutes to the website or be they rather that they be submitted , but that they be made available within 10 days while there was a determination

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that there was an improper discussion under purpose 6. The meeting minutes for April 7th, 2023, have now been released and there is no further remedial action required as determined by the Attorney General's office therefore this matter is now resolved.

Megan Perry Glowacki said that she wanted to point out that the Attorney General did find that the Trust violated the Open Meeting Law. She said as everybody is well aware of the meeting that the Trust held and voted to advise the Select Board to drop the appeal of Surfside Crossing. She mentioned that two non-profit organizations continued on and have won the appeal not once but twice in Superior Court. She said that her hope is that the Affordable Housing Trust will not continue to violate the law and will not interject themselves in matters that they are not party to in the future. Some discussion followed.

VIII. 31 Fairgrounds "Wiggled Way" Status Update

Penny Dey said that the construction committee has been meeting every Wednesday for a very long time. The flooring is finished in all of the units, there is some minor electrical and carpentry work is happening over the next week or so, all the granite curbing is installed, the sidewalks and all the bases are done , they are going to be pouring a finish test pad soon and concrete next week. All six patios and finished and sidewalk coats will be done in the next few weeks followed by finishing landscaping for the entire rear area behind units 2 through 7. All the trees have been planted ; the HVAC contractor is done with the mechanical work but still has some insulation of duct work outstanding . The installation of the solar panels is going slower than anticipated and the last thing that needs to happen is the final paving. The appliances will be ordered next week, the electric and plumbing are finished.

Kristie Ferrantella said that she just wanted to mention that the construction committee is planning to do a ribbon cutting ceremony when the project is completed, and they have been in communications with the Executive Office of Housing and Livable Communities, and they are hoping that the Secretary of Housing will join. She said as soon as she gets the dates, they will be

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blasting that information everywhere and they will make sure that all Trust members former and existing are invited.

IX. Request for Funding for Lease to Locals Program – DISCUSSION / ACTION

Kristie Ferrantella said just a reminder to everybody , Colin Frolich from Placemate and Julia Lindner from ACKNow Community initiatives has been in front of the board a couple of times to discuss their Lease to Locals Pilots program. They have reviewed how the program worked , how they envision the future of it working and being transferred over to Housing Nantucket and they have come to the Trust with a request of \$550,000 to support a second year of incentives for existing homeowners and to attract new homeowners to convert to year-round use. Since that last meeting, ACK Now has received a \$100,000 grant from ReMain Nantucket to support the Lease to Locals' program, which will reduce the ask to the Affordable Housing Trust to \$450,000. ReMain's grant is intended to help address the urgent need for year-round housing on the island and to support the program's mission of converting the use of dwellings on the island into year-round use. The goal of this donation is to encourage new door donors to join in, in supporting this program.

Colin Frolich said that they are here to address the June 11th Affordable Housing Trust meeting questions and feedback and then review the ask. The program policies included in the packet were redlined based on some of the feedback from the June 11th meeting , so there are details in there that they can also review if needed.

The following questions were reviewed:

- **Question:** Penny Dey had asked if AHT funding can be used for projects that are not locked into affordability in perpetuity?
 - **Answer:** Lee Smith from KPLaw said that they have reviewed this question in house and the funds can be used for projects such as this, even though they are not restricted in perpetuity. there is some precedent for this specific specially in Nantucket for workforce

housing.

Som discussion followed.

● **Question:** Penny Dey also had asked why can they not use bonded funds?

- **Answer:** Kristie Ferrantella said that bonded funds are for capital and cash is used for operations, and this would be considered ongoing operational expense.

● **Question:** Brian Sullivan had asked if they think this program could be successful if program went from 240% AMI to 175% for qualified tenants?

- **Answer:** Colin Frolich said yes, but income restrictions always run the risk of excluding some participants.

● **Question:** Brian Sullivan asked how they are ensuring that properties are actually not already being rented long-term prior to entering the program?

- **Answer:** Colin Frolich said that they get verbal confirmation on the property owner onboarding call, there is an affidavit from Property Owner on the application attesting it has not been rented year-round in past 12 months. Also, with tenant application they can see paystubs and an ID which both show addresses, so they can cross check this against L2L property address. Also, Nantucket is a small community.

● **Question:** Brian Sullivan asked if they are allowing property owners who have multiple units to participate in the program and receive multiple grants?

- **Answer:** Colin Frolich said yes, in current program guidelines, the idea is to try to keep this program open to see what the pilot could garner, but they could add a new restriction.

● **Question:** Brian Sullivan said he heard things on Facebook of property owners who do and don't qualify for the program?

- **Answer:** Colin Frolich said that in the current program policies a qualified tenant cannot be of blood relation or be employed by the Property Owner.

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● **Question:** Brian Sullivan asked if there is a mechanism to allow people who want to donate their properties (as a tax write off) but don't need the incentive?

- **Answer:** Colin Frolich said that they can definitely explore this with Housing Nantucket. Owners who want to post their properties on Placemate.com without the L2L incentive who do that already at no cost (and no additional admin cost from Placemate)

● **Question:** Can businesses whose employees are capturing leases able to participate in the subsidy between 50% & 33%?

- **Answer:** Colin Frolich said they can definitely explore this with Housing Nantucket. This could be a good fundraising opportunity for employers that wanted to contribute.

● **Question:** Is there a way to have the employers or another NGO participate financially and for the Trust to not be the sole funder of the program?

- **Answer:** Colin Frolich said that they are exploring additional private fundraising opportunities.

● **Question:** What happens when the program "ends"? What has happened in other communities?

- **Answer:** Colin Frolich said that they are in the process of winding down one program (Summit County) and this is done with a lot of communication. This particular program was a temporary COVID relief program (for 1 year) but extended for 2 years and over \$2M in incentives were distributed.

Colin Frolich said this is where they shift into a board discussion and deliberation and bring it to a vote. He reiterated that this at the beginning the ask is to fund a relaunch of this program and this ask will actually be brought down to \$450,000 after finding out about the ReMain Nantucket grant, to fund a year one new properties and renewals of existing properties in the pilot program.

Reema Sherry said they still have more questions for Lee Smith to look over for the Trust. She asked if the Trust members were ready to vote or if they needed more time.

AFTH Meeting on June 25th ,2024 at 12:30pm

Penny Dey said that she would like to defer the vote to the next meeting because she is not prepared to vote today on this.

Meg Browsers said that she would be happy to vote today, but if Penny Dey wants to wait until they get back the information that they requested about Fair Housing she is okay with it. She just wanted to be clear about what outstanding questions they may have so that they can give them exactly what information they need to provide, and with that being said she said that she is in full support of this program and is so excited for this collaboration.

Brian Sullivan said he would like to wait until they hear back from Lee Smith, but for moving forward with the conversation, he would like to see any funds provided by the Affordable Housing Trust go to 175%AMI or below and no more than two units per owner.

Kristie Ferrantella said that Provincetown has adopted the Lease to Locals program and this question on Fair Housing Act came up several times with their Town Manager, so that might be a quick spot to find a quick answer as how KPLaw resolved the questions when it came to their Select Board.

Penny Dey said that she would prefer to call this a pilot program phase two and it would be extremely helpful if Colin Frolich and Julia Linder could get the Trust some information on the level of commitment of the existing people.

Dave Iverson said he agrees with Brian Sullivan in support of the 175%AMI or below and how many subsidies each homeowner can get. It would also be helpful to see how Provincetown navigated the Fair Housing Act in making a decision.

Tom Dixon said he agrees with Dave Iverson and Brian Sullivan that think 175% make more sense and he would want to make sure that Kriste Ferrantella has spoken to Brian Turbit at length about this, but just that any future motion would be contingent on finance department being comfortable with the finances on this. Tom Dixon also asked that Kristie Ferrantella run this by the Town Chef Technology Officer to make sure how Placemates privacy policy is compliant with the Technology

Department's standards.

Mary Mack said that they should be looking at this in a matter of community safety, she said that she thinks that the island would be much safer because this program is housing hospital staff, firefighter etc. that are living of island and wouldn't be able to deal with and emergency if there was one.

X. Other Business

Next Meeting:

- July 9, 2024, at 12:30pm
- July 16, 2024, at 12:30pm

XI. Board Comments

Penny Dey said she just wanted to thank Reema Sherry for all the work that she has done for the Affordable Housing Trust and for the community, and she will be missed.

The Trust members thanked Reema Sherry for her many years of serving on the Trust.

THANK YOU REEMA SHERRY.

XII. Executive Session, Pursuant to MGL C. 30A § 21(A)

Purpose 6: To consider the purchase, exchange, lease, or value of real property where an open meeting may have a detrimental effect on the negotiating position of the public body.

- i. **8C Thirty Acres**
- ii. **13-15 Nancy Ann Lane**
- iii. **44 Miacomet Road**
- iv. **17, 19 and 21 Boynton Lane**

Meg Browsers made a MOTION to adjourn open session, to go to executive session, not to return to open session to consider the purchase, exchange, lease, or value of real property where an open meeting may have a detrimental effect on the negotiating position of the public body. Brian Sullivan

AFTH Meeting on June 25th ,2024 at 12:30pm

seconded this motion.

ROLL CALL of those participating:

1. Dave Iverson Aye
2. Penny Dey Aye
3. Tom Dixon Aye
4. Brian Sullivan Aye
5. Meg Browsers Aye
6. Shantaw Bloise-Murphy Aye
7. Reema Sherry Aye

This meeting was adjourned at 2:04pm.

Announcement:

The Housing Department will be giving an update to the Select Board on the Strategic Plan – Housing Goals at the July 17th , 2024 meeting.

VI. Request and Approval of an extension of a License Agreement between Barrett Enterprises, LLC, and the Affordable Housing Trust Fund at 12 Bartlett Road –
DISCUSSION/ ACTION

Trust Members:

Trevor Barrett, from Barrett Enterprises LLC, is requesting an extension of the license agreement for use of 12 Bartlett Road until July 19, 2024. As you may recall, Barrett Enterprises was moving a house across the street, to 13 Bartlett Road on 6/12/24. They learned on 6/4/24 that a utility pole needed to be upgraded and replaced prior to moving the house onto the site. The Trust approved a license agreement at their 6/11/24 meeting to allow Barrett Enterprises to place the house temporarily at 12 Bartlett Road for 30 days. The utility pole has been fixed but the wires still need to be transferred. The house move is scheduled for the week of July 15, 2024.

Staff recommends extending the license agreement to July 26, 2024.

Respectfully submitted,

Kristie Ferrantella

VII. Review Closing Cost Assistance
Program Guidelines and
Qualifications –
DISCUSSION/ACTION

Closing Cost Assistance Program - CCAP

Purpose

The Town of Nantucket, through its Affordable Housing Trust, offers up to \$15,000 for each eligible buyer to put towards closing costs for the purchase of deed-restricted affordable units. It is intended to assist year-round residents qualifying at the 80%-175% AMI level who can afford monthly mortgage payments, yet do not have enough money to pay the initial home purchase closing costs. The goal of the program is to increase homeownership among the low and moderate income households in the Town of Nantucket. This is a zero-percent (0%) loan program subject to repayment as described below.

Eligibility

- Available to qualified applicants earning up to 175% AMI
- Applicant must provide written confirmation they have been deemed eligible to purchase a home through a DHCD-approved lottery process or have a fully executed P&S for a permanently deed restricted 175% or below AMI unit and Qualified Purchaser Certificate from a recognized Monitoring Agent
- Applicant must have a mortgage pre-qualification letter from a recognized financial institution on bank letterhead clearly indicating their qualification to purchase the unit
- The property must be located in Nantucket County
- There must be a permanent deed restriction on property guaranteeing ongoing affordability at 175% AMI or less

Other requirements / details:

- Available on a first-come, first-serve basis until the annual Trust Fund allocation for this program is depleted
- Loans are up to \$15,000 solely for closing costs based on a bona fide Loan Estimate from a recognized financial institution
- Funds to be released to closing attorney following receipt of bona fide mortgage loan commitment letter, original promissory note, and post-closing agreement, and once the purchase is approved to close
- Closing cost funds loaned based on approved legitimate closing costs up to \$15,000

- This is a zero-percent (0%) loan secured by a second mortgage on the property from the purchaser to the Trust Fund which will be recorded as a subordinate lien by the closing attorney
- The loan must be repaid when property is sold or transferred
- The loan will be subordinated if refinanced by original owner(s)
- A waiver of loan repayment may be requested by the owner/seller if the property has been held for five years or more and the gross sales amount is not \$30,000 more than the original purchase price

Closing Cost Assistance Program Guidelines

The Closing Cost Assistance Program ("CCAP") is offered through the Town of Nantucket's Affordable Housing Trust and offers up to \$15,000 for eligible buyers to be put toward bona fide closing costs for the purchase of permanently deedrestricted affordable units restricted to buyers at an 175% AMI or less income level. The program is intended for lower to moderate income home buyers who can afford monthly mortgage payments but do not have enough to pay the initial home purchase closing costs. The goal is to increase homeownership among 175% and below AMI households in the Town of Nantucket. Applications and a checklist to guide you through the process are available at the Planning Office or <http://nantucket-ma.gov/184/Affordable-Housing-Trust-Fund>. *You are encouraged to begin your house-hunting process by applying for CCAP early. **To avoid unnecessary delays, submit your application and all required documentation a minimum of eight (8) weeks prior to your loan closing** Once qualified, your conditional letter of approval is valid for 6 months.*

What Type of Assistance is Available?

The CCAP is considered a "deferred payment loan." The loan is interest free and you will not have to pay anything back unless you sell or transfer the property. If the property is sold prior to the fifth anniversary of the sale, you will be required to pay back the full amount upon sale. After five years, the loan may be forgiven if the gross sales price is not greater than \$30,000 more than the original purchase price. You must request the waiver and conditions must be sufficient for the AHTF to consider the request. A granted waiver may result in tax consequences to you. Please consult your tax adviser.

What is the Maximum Amount of Assistance?

The CCAP program will loan eligible buyers bona fide closing costs up to \$15,000.

Who is Eligible?

Applicants must meet the following eligibility requirements:

- You must purchase a permanently deed-restricted affordable unit in the County of Nantucket and agree to future resale restrictions
- The home must be intended for and maintained as your principal residence
- You must complete an approved homebuyer training course and provide certification of completion • A household cannot have more liquid assets than allotted for their corresponding AMI
- You must be approved for a mortgage with a recognized commercial lender
- You must provide the loan required down payment from your own funds
- You must not exceed 175% of the current HUD annual median household income.

Household Size	1	2	3	4	5	6
80 % AMI Income Limits	\$ 76,750.00	\$ 87,750.00	\$ 98,700.00	\$ 109,650.00	\$ 118,450.00	\$ 127,250.00
100 % AMI Income Limits	\$ 107,240.00	\$ 122,530.00	\$ 137,810.00	\$ 153,100.00	\$ 165,380.00	\$ 177,660.00
110% AMI Income Limits	\$ 117,970.00	\$ 134,780.00	\$ 151,600.00	\$ 168,410.00	\$ 181,910.00	\$ 195,410.00
150 % AMI Income Limits	\$ 160,860.00	\$ 183,790.00	\$ 206,720.00	\$ 229,650.00	\$ 248,070.00	\$ 266,490.00
175 % AMI Income Limits	\$ 187,680.00	\$ 214,430.00	\$ 241,180.00	\$ 267,930.00	\$ 289,410.00	\$ 310,890.00

200 % AMI Income Limits	\$ 214,490.00	\$ 245,060.00	\$ 275,630.00	\$ 306,200.00	\$ 330,750.00	\$
240% AMI Income Limits	\$ 257,380.00	\$ 294,070.00	\$ 330,750.00	\$ 367,440.00	\$ 396,910.00	\$

Chart is subject to change based on current HUD calculations. Please refer to <https://www.huduser.gov/portal/datasets/il.html> for most current figures.

CCAP Application & Checklist

- [CCAP Application and Checklist - Updated 2024 \(PDF\)](#)

Government Websites by [CivicPlus®](#)



Nantucket Affordable Housing Trust Fund

16 Broad Street, Nantucket, MA 02554

Closing Cost Assistance Program

Purpose: The Town of Nantucket, through its Affordable Housing Trust, offers up to \$15,000 for each eligible buyer to put towards closing costs for the purchase of deed-restricted affordable units. It is intended to assist year-round residents qualifying at the 80%-175% AMI level who can afford monthly mortgage payments, yet do not have enough money to pay the initial home purchase closing costs. The goal of the program is to increase homeownership among the low- and moderate-income households in the Town of Nantucket.

This is a zero percent (0%) loan program subject to repayment as described below.

Eligibility:

- Available to qualified applicants earning up to 175% AMI
- Applicant must provide written confirmation they have been deemed eligible to purchase a home through an EOHLC-approved lottery process or have a fully executed P&S for a permanently deed-restricted 175% or below AMI unit and Qualified Purchaser Certificate from a recognized Monitoring Agent
- Applicant must have a mortgage pre-qualification letter from a recognized financial institution on bank letterhead clearly indicating their qualification to purchase the unit
- The property must be located in Nantucket County
- There must be a permanent deed restriction on property guaranteeing ongoing affordability at 175% AMI or less

Other requirements / details:

- Available on a first-come, first-serve basis until the annual Trust Fund allocation for this program is depleted.
- Loans are up to \$15,000 solely for closing costs based on a bona fide Loan Estimate from a recognized financial institution
- Funds to be released to closing attorney following receipt of bona fide mortgage loan commitment letter, original promissory note, and post-closing agreement, and once the purchase is approved to close.
- Closing cost funds loaned based on approved legitimate closing costs and limited to \$15,000.
- This is a zero percent (0%) loan secured by a second mortgage on the property from the purchaser to the Trust Fund which will be recorded as a subordinate lien by the closing attorney.
- The loan must be repaid when property is sold or transferred
- The loan will be subordinated if refinanced by original owner(s)
- A waiver of loan repayment may be requested by the owner/seller if the property has been held for five years or more and the gross sales amount is not \$30,000 more than the original purchase price



Nantucket Affordable Housing Trust Fund

16 Broad Street, Nantucket, MA 02554

Closing Cost Assistance Program Guidelines

The Closing Cost Assistance Program ("CCAP") is offered through the Town of Nantucket's Affordable Housing Trust and offers up to \$15,000 for eligible buyers to be put toward bona fide closing costs for the purchase of permanently deed-restricted affordable units restricted to buyers at an 175% AMI or less income level. The program is intended for lower to moderate income home buyers who can afford monthly mortgage payments but do not have enough to pay the initial home purchase closing costs. The goal is to increase homeownership among 175% and below AMI households in the Town of Nantucket. Applications and a checklist to guide you through the process are available at the Planning Office or <http://nantucket-ma.gov/184/Affordable-Housing-Trust-Fund>.

*You are encouraged to begin your house-hunting process by applying for CCAP early. **To avoid unnecessary delays, submit your application and all required documentation a minimum of eight (8) weeks prior to your loan closing.** Once qualified, your conditional letter of approval is valid for 6 months.*

What Type of Assistance is Available?

The CCAP is considered a "deferred payment loan." The loan is interest free and you will not have to pay anything back unless you sell or transfer the property. If the property is sold prior to the fifth anniversary of the sale, you will be required to pay back the full amount upon sale. After five years, the loan may be forgiven if the gross sales price is not greater than \$30,000 more than the original purchase price. You must request the waiver and conditions must be sufficient for the AHTF to consider the request. A granted waiver may result in tax consequences to you. Please consult your tax adviser.

What is the Maximum Amount of Assistance?

The CCAP program will loan eligible buyers bona fide closing costs up to \$15,000.

Who is Eligible?

Applicants must meet the following eligibility requirements:

- You must purchase a permanently deed-restricted affordable unit in the County of Nantucket and agree to future resale restrictions
- The home must be intended for and maintained as your principal residence
- You must complete an approved homebuyer training course and provide certification of completion
- A household cannot have more liquid assets than allotted for their corresponding AMI
- You must be approved for a mortgage with a recognized commercial lender
- You must provide the loan required down payment from your own funds
- You must not exceed 175% of the current HUD annual median household income. In Nantucket, 80%, 100%, and 175% AMI as of April 3, 2024:

Household Size	1	2	3	4	5	6
80 % AMI Income Limits	\$ 76,750.00	\$ 87,750.00	\$ 98,700.00	\$ 109,650.00	\$ 118,450.00	\$ 127,200.00
100 % AMI Income Limits	\$ 107,240.00	\$ 122,530.00	\$ 137,810.00	\$ 153,100.00	\$ 165,380.00	\$ 177,650.00
110% AMI Income Limits	\$ 117,970.00	\$ 134,780.00	\$ 151,600.00	\$ 168,410.00	\$ 181,910.00	\$ 195,420.00
150 % AMI Income Limits	\$ 160,860.00	\$ 183,790.00	\$ 206,720.00	\$ 229,650.00	\$ 248,070.00	\$ 266,480.00
175 % AMI Income Limits	\$ 187,680.00	\$ 214,430.00	\$ 241,180.00	\$ 267,930.00	\$ 289,410.00	\$ 310,900.00

200 % AMI Income Limits	\$ 214,490.00	\$ 245,060.00	\$ 275,630.00	\$ 306,200.00	\$ 330,750.00	\$ 355,310.00
240% AMI Income Limits	\$ 257,380.00	\$ 294,070.00	\$ 330,750.00	\$ 367,440.00	\$ 396,910.00	\$ 426,370.00

Chart is subject to change based on current HUD calculations. Please refer to <https://www.huduser.gov/portal/datasets/il.html> for most current figures.



Nantucket Affordable Housing Trust Fund

16 Broad Street, Nantucket, MA 02554

Closing Cost Assistance Payment Application

FULL NAME: _____

FULL NAME: _____

Note: Please provide the full name and Social Security number for all individuals that will be on the mortgage on a separate piece of paper in typed form.

Housing Office Only

Date Received:

CURRENT ADDRESS

STREET: _____

CITY/TOWN: _____ STATE: _____ ZIP CODE: _____

BEST PHONE: _____ EMAIL ADDRESS: _____

YEARS AT THIS ADDRESS: _____ If less than two years, please provide previous address:

HOUSEHOLD INFORMATION

HOUSEHOLD AMI (please circle one): 175% 150% 100% 80%

TOTAL NUMBER OF PERSONS IN HOUSEHOLD (INCLUDING SELF): _____

PLEASE LIST ALL HOUSEHOLD MEMBERS WHO WILL OCCUPY THE HOME, REGARDLESS OF AGE

NAME	AGE	RELATIONSHIP

1. Do you own or have financial interest in any other real estate and/or business? YES _____ NO _____

If yes, please describe: _____

2. Do you have an executed Purchase and Sale Agreement? YES _____ NO _____

If YES-Please attached an executed copy as part of the application

If NO-When is the anticipated date a Purchase and Sale Agreement will be executed? _____

If NO-Do you have an accepted offer? YES _____ NO _____

**Please not that CCAP loans authorized without an executed Purchase and Sale Agreement will expire six (6) months from approval date.*

SUBJECT PROPERTY:

Address: _____

Purchase Price: \$ _____ Scheduled Closing Date: _____

Property Type: ☐Single-Family Home ☐Condominium ☐Land

4. Is there a permanent deed restriction on the subject property guaranteeing ongoing affordability at 175% AMI or less? YES _____ NO _____

If NO, would you be willing to place a deed restriction on the subject property to guarantee ongoing affordability YES _____ NO _____

**Permanent deed restriction on the subject property guaranteeing ongoing affordability at 175% AMI or less is a requirement of funding.*

5. Have you attended an approved First Time Home Buyer Education class*? YES _____ NO _____

If YES, please provide a copy of your completion certification.

** Attendance is a requirement of funding.*

6. Have you been awarded a right to purchase an 80-175% AMI restricted property through an authorized monitoring agent? YES _____ NO _____

If YES, please provide a copy of your certificate.

** Right to purchase an 80-175% AMI restricted property through an approved lottery program is a requirement of funding.*

HOUSEHOLD ASSETS

Assets are items of value, such as IRAs, CDs, and checking and savings accounts. Interest received from assets are included as part of your income. Assets do not include necessary personal property such as clothing, furniture, automobiles, jewelry, etc. Please describe your assets and income or dividends from these assets in the chart below. Continue on a separate sheet if necessary.

Household Member	Asset Description	Cash Value
		\$
		\$
		\$
		\$
		\$

Total cash value of all assets = \$_____

In signing this application I/we hereby certify that:

- I/we have correctly indicated the number of persons in the household;
- My/our total liquid assets do not exceed the allotted amount for my/our AMI bracket;
- We have been qualified to purchase a permanently deed-restricted home in the County of Nantucket, MA, for buyers at 175% or below Area Median Income;
- The information contained in this application is true and accurate to the best of my/our knowledge and belief under the full pains and penalties of perjury and understand that perjury will result in disqualification from further consideration; and
- I/we understand that it is my/our obligation to secure the necessary mortgage for the purchase of the home and all expenses, including closing costs, down payments, etc.
- I/we will furnish to the Town of Nantucket upon request at any time any and all income and/or asset and other financial information, any and all household, resident location, and workplace information and I further direct any employer, landlord, or financial institution to release any information to the Town for the purpose of income and/or asset determination eligibility.
- I/we understand that I/we are purchasing an affordable home at a substantially discounted price and that the home will remain affordable for any future buyers. I/we understand that I/we will be required to sign a Deed Rider that describes my/our responsibilities under the affordable housing program. The restrictions will apply to me and all future buyers of my/our home.
- I/we understand that to avoid unnecessary delays, I/we should submit the application and all required documentation a minimum of eight (8) weeks prior to my/our loan closing.

Signature	Date	Signature	Date
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Submit to Town of Nantucket, Affordable Housing Trust Fund, Housing Office, 16 Broad Street, Nantucket, MA 02554



Nantucket Affordable Housing Trust Fund

16 Broad Street, Nantucket, MA 02554

Closing Cost Assistance Program Application Checklist

Applying for closing cost payment assistance is a multi-step process. The first step is to submit an application and copies of all required documentation in order for us to determine if you qualify for the program. Second, once you have found a home, submit all of the property eligibility information for review. After the property's eligibility is confirmed, at your loan closing with your primary lender, you will sign loan agreements provided by the closing attorney.

To avoid unnecessary delays, submit your application and all required documentation a minimum of eight (8) weeks prior to your loan closing.

Step 1: Submit Applicant Eligibility Information

- ☐ Completed Closing Cost Assistance Program Application
- ☐ Completed and signed W-9
- ☐ Written verification from an authorized monitoring agent that you are income and asset qualified to be purchasing the permanently deed-restricted 175% or below AMI restricted unit on the application
- ☐ Bona fide Loan Estimate including estimated closing costs from a recognized financial institution (N/A for Habitat for Humanity homes)
- ☐ Provide us with your closing attorney's contact information and wiring instructions
- ☐ An executed Purchase and Sale Agreement, as soon as it is available (N/A for Habitat for Humanity)
- ☐ Notify the AHTF of your closing date as soon as it's available to you (please keep in mind note at bottom of page when scheduling the closing date)

Additional information (not required, but helpful to submit if you have it):

- ☐ Mortgage Pre-Qualification letter on bank letterhead from a recognized financial institution (For Habitat for Humanity Homes you must provide the Terms and Conditions Letter in place of the Mortgage Pre-Qualification)
- ☐ Executed Final Loan Commitment Letter on bank letterhead from a recognized financial institution (Habitat for Humanity Homes are to provide a final Settlement Statement)

Step 2: Post-Closing

- ☐ Copy of the final affordability deed rider to be executed at closing
- ☐ Prompt return to the AHTF by the closing attorney of excess funds beyond closing costs disclosed on the Closing Disclosure
- ☐ Copy of the Closing Disclosure statement (This is the Settlement Statement for Habitat homes)
- ☐ Copy of the recorded mortgages, promissory note, and post-closing agreement note.

*****Please Note-**Funds are not immediately released after application is approved. Once applications are approved and all documentation has been received, the CCAP Funds will be processed and sent for approval to be paid through Town Warrant. Town Warrants are held every couple of weeks. On the Friday after Town Warrant, the CCAP Funds will be sent to your closing attorney's IOLTA account via wire transfer to be held until the closing date. Please keep this process in mind when scheduling your closing date as to not cause any delays.***

VIII.Closing Cost Assistance Application—ACTION

- 8 Honeysuckle Drive – Norman Frazee
- 10 Honeysuckle Drive – Shaylyn Maguire

8 Honeysuckle Norman Frazee
240% AMI.



Nantucket Affordable Housing Trust Fund

16 Broad Street, Nantucket, MA 02554

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- ☒ Provide us with your closing attorney's contact information and wiring instructions
- ☒ An executed Purchase and Sale Agreement, as soon as it is available (N/A for Habitat for Humanity)
- ☒ Notify the AHTF of your closing date as soon as it's available to you (please keep in mind note at bottom of page when scheduling the closing date) **8/8/24**

Additional information (not required, but helpful to submit if you have it):

- ☐ Mortgage Pre-Qualification letter on bank letterhead from a recognized financial institution (For Habitat for Humanity Homes you must provide the Terms and Conditions Letter in place of the Mortgage Pre-Qualification)
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10 Honeysuckle Shaylyn Maguire 240%



Nantucket Affordable Housing Trust Fund AMI

16 Broad Street, Nantucket, MA 02554

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Step 1: Submit Applicant Eligibility Information

- ☒ Completed Closing Cost Assistance Program Application
- ☒ Completed and signed W-9
- ☒ Written verification from an authorized monitoring agent that you are income and asset qualified to be purchasing the permanently deed-restricted 175% or below AMI restricted unit on the application
- ☒ Bona fide Loan Estimate including estimated closing costs from a recognized financial institution (N/A for Habitat for Humanity homes)
- ☒ Provide us with your closing attorney's contact information and wiring instructions *South Beach*
- ☒ An executed Purchase and Sale Agreement, as soon as it is available (N/A for Habitat for Humanity)
- ☒ Notify the AHTF of your closing date as soon as it's available to you (please keep in mind note at bottom of page when scheduling the closing date) *8/8/24*

Additional information (not required, but helpful to submit if you have it):

- ☐ Mortgage Pre-Qualification letter on bank letterhead from a recognized financial institution (For Habitat for Humanity Homes you must provide the Terms and Conditions Letter in place of the Mortgage Pre-Qualification)
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*****Please Note-**Funds are not immediately released after application is approved. Once applications are approved and all documentation has been received, the CCAP Funds will be processed and sent for approval to be paid through Town Warrant. Town Warrants are held every couple of weeks. On the Friday after Town Warrant, the CCAP Funds will be sent to your closing attorney's IOLTA account via wire transfer to be held until the closing date. Please keep this process in mind when scheduling your closing date as to not cause any delays.***

IX. Vote to Approve and Execute the Deed Rider Containing the Affordability Restriction up to 240% of Area Median Income and the Year-Round Housing Occupancy Restriction for:

- 8 Honeysuckle Drive
- 10 Honeysuckle Drive

X. Select Board Quarterly Update - REVIEW

Quarterly report from the Affordable Housing Trust Fund (AHTF) to the Select Board for April to June 2024

To be Presented at the August 7, 2024 Select Board Meeting

HIGHLIGHTS FROM THE QUARTER:

- Awarded Closing Cost Assistance to four families.
- Affordable Homes Act Update
 - Attended Lobby Day with 8th grade Civic's class on April 11th
 - House and Senate did not include Real Estate Transfer Fee
 - Seasonal Communities Designation is still included.

HOUSING CONSTRUCTION AND LAND ACQUISITION

- Working to re-issue RFP for 135/137 Orange, 7 Amelia, 16 Vesper, and 12 Bartlett
- AHTF assisted housing projects.
 - HFHN - Waite Drive lottery went live in May.
 - HN - Wiggles Way lottery went live in May
 - AHT approved a \$450k grant to Housing Nantucket for their house recycling program to move and convert a 1BR into a 2BR apartment
 - AHT approved a \$6.725m grant to Richmond to buydown market rate rentals into affordable rentals in their Gooseberry Place development.
 - This project will secure Safe Harbor status after Dec 11, 2024

PROGRAMS AND INITIATIVES

- YR Deed Restriction Pilot Program progress update
- Lease to Locals program update

OTHER BUSINESS

- Annual Town Meeting housing-related articles
- Howard Dickler Award awarded to Richard Hussey

XI. Review Subsidized Housing Inventory List – REVIEW

Current and Projected Toward Our Present 618 Unit Requirement

Estimated SHI List Count	2023	2024	2025	2026	2027
<i>Starting Balance</i>	332	332	461	502	566
Sandpiper II (Richmond) [O]		6			
Ticcoma Green (6 Fairgrounds Road) [R]		64			
Scattered rentals (Housing Nantucket) [R]			1	1	1
Scattered ownership (Habitat for Humanity) [O]		4	2	2	2
135 + 137 Orange Street [R]			32		
Richmond Meadows II (Gooseberry Place) [R]		55			
7 Amelia Drive [R]			3		
Vesper Lane [R]				17	
Bartlett Road [R]				12	
Potential					
Potential Development [R]			3		22
Potential Buydown [R]				32	
TBD					27
Subtotal net additional units =	0	129	41	64	52
Ending balance	332	461	502	566	618
<i>Units potentially eligible to count toward Safe Harbor =</i>		129	41	64	52
<i>Minimum Safe Harbor deficit =</i>		0	0	0	0
	5.4%	7.5%	8.1%	9.2%	10.0%

[R] denotes Rental units; [O] denotes Ownership units

Notes: If Surfside Crossing is ultimately permitted at 156 units, it will at a future point add 39 units to our SHI list, 24 of which may be eligible toward a future Safe Harbor period.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Nantucket

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
2055	Miacomet Village I	3 Manta Drive	Rental	10	Perp	Yes	DHCD
2056	Miacomet Village I	3 Manta Drive	Rental	12	Perp	Yes	DHCD
2057	Academy Hill School	Westminster St.	Rental	27	2033*	No	DHCD MassHousing MassHsg/HUD
2058	Landmark House	144 Orange St.	Rental	18	2023*	No	RHS
2059	Landmark House II	Orange St.	Rental	8	2041	No	FHLBB HUD
2060	Miacomet Village II	Norquarta Drive	Rental	19	05/01/2047	Yes	FHLBB RHS
2061	Nantucket Housing Authority	Benjamin Drive	Rental	5	Perp	No	HUD HUD HUD
4383	DDS Group Homes	Confidential	Rental	0	N/A	No	DDS
4588	DMH Group Homes	Confidential	Rental	5	N/A	No	DMH
7610	Norquarta Drive	Norquarta Drive	Rental	2	perp	No	DHCD
7611	Dartmouth Street	Dartmouth Street	Rental	2	perp	No	Town of Nantucket
7612	Norwood Street	Norwood Street	Rental	1	perp	No	Town of Nantucket

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Nantucket

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
7613	Irving Street	Irving Street	Rental	1	perp	No	Town of Nantucket
7614	Clarendon Street	Clarendon Street	Rental	1	perp	No	Town of Nantucket
9086	Abrem Query	2-4-6-8 Folger Ave	Ownership	7	Perp	YES	FHLBB
9087	Beach Plum Village	15-19 Rugged Road & 6-8 Scotts Way	Ownership	10	Perp	YES	MassHousing
10262	Ticcoma Way	Ticcoma Way	Rental	1	Perp	NO	DHCD
10263	Sachem's Path I and II	95 Surfside Road, Wapossett Circle & Nanina Drive	Ownership	10	Perp	YES	DHCD MassHousing
10295	7 Surfside Road	7 Surfside Road	Rental	4	Perp	NO	DHCD
10296	Meadows II	Davkim Lane	Rental	162	Perp	NO	DHCD
10297	Surfside Crossing	3, 5, 7 & 9 South Shore Rd	Ownership	0	Perp	YES	MassHousing
10590	Benjamin Drive - Habitat for Humanity	Benjamin Drive	Ownership	3	Perp	YES	DHCD
10591	31 Fairgrounds	31 Fairgrounds	Rental	22	Perp	NO	DHCD
10749	Sandpiper II	Old South Road	Ownership	2	Perp	NO	DHCD
Nantucket Totals				332	Census 2010 Year Round Housing Units		4,896
					Percent Subsidized		6.78%

XII. Review Request for Proposal for: – REVIEW/DISCUSSION

- 135 and 137 Orange Street
- 16 Vesper Lane
- 7 Amelia Drive
- 12 and 12R Bartlett Road

Town and County of Nantucket

37 Washington Street

Nantucket, MA 02554



REQUEST FOR PROPOSALS

REQUEST FOR PROPOSALS FOR AFFORDABLE HOUSING DEVELOPMENT (ORANGE STREET AND VESPER LANE)

2024-AHT-0617

RFP ISSUANCE	June 17, 2024
PRE-PROPOSAL MEETING/SITE TOUR (Non-Mandatory)	July 8, 2024, 11:00am Nantucket Public Safety Facility, 4 Fairgrounds Road, Nantucket, MA 02554
INQUIRIES/QUESTION DEADLINE	July 15, 2024, 2:00pm
ADDENDA DATE	July 22, 2024, 2:00pm
RFP DUE DATE	July 29, 2024, 2:00pm

CONTRACT AWARD	September 27, 2024
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RESPONSES MUST BE SUBMITTED ELECTRONICALLY TO:

<https://procurement.opengov.com/portal/nantucket>

DRAFT

Town and County of Nantucket
REQUEST FOR PROPOSALS
Request for Proposals for Affordable Housing Development (Orange
Street and Vesper Lane)

I.	Important Dates
II.	REQUEST FOR PROPOSALS.....
III.	General Information and Submission Requirements
IV.	Proposal Submission
V.	Comparative Qualification Criteria
VI.	Vendor Questionnaire.....
VII.	Insurance and Indemnification
VIII.	Rule for Award
IX.	Term of Contract

Attachments:

- A - 135 Orange Street - GIS Map
- B - 137 Orange Street - GIS Map
- C - 137 Orange Street - Lot 2
- D - Attachment A - The Property
- E - Attachment B - Quit Claim Deed
- F - Attachment C - Easement
- G - Attachment D - Nantucket Housing Production Plan
- H - Attachment E - Draft Form of Ground Lease
- I - Attachment F - Draft Form of Land Development Agreement
- J - Attachment G - Building With Nantucket In Mind
- K - Attachment H - Comparative Evaluation Criteria
- L - Attachment I - Nantucket Zoning Bylaws
- M - Attachment J - Energy Efficiency

N - Attachment K - Nantucket Coastal Resilience Plan

O - Attachment L - Sections 3 and 4 of the MA One Stop Application

P - Attachment O - Disclosure Statement

Q - Attachment P - Acknowledgement of Documents

R - Attachment P_RFP---135-and-137-Orange-Street executed 9.26.23

S - 16 Vesper Plan 2023-61 (1)

T - 16 Vesper Quit Claim Deed

DRAFT

1. Important Dates

1.1. Summary

The Town of Nantucket, through its Town Administration, is seeking proposals from qualified developers for the development, within local zoning, and ongoing management of (A) no more than thirty-two (32) units of workforce rental housing consistent with Section 139-8D of the Nantucket Zoning Bylaws on the property owned by the Trust located at 135 and 137 Orange Street; and (B) 17 affordable rental units with a preference for residents age 55 and above/ADA compliant on the property owned by the Trust located at 16 Vesper Lane.

1.2. Background

The Town of Nantucket is located 30 miles off the south coast of Cape Cod. It was settled in 1659 and incorporated in 1671. The Town has an annual year-round population of over 14,000 and approximately 60,000 seasonal residents. The island is 14 miles in length and 3 1/2 miles wide. The Town of Nantucket is within the County of Nantucket. It operates an operated skilled nursing facility, an extensive Public School System and other municipal operations. The Town functions under a Town Manager/Select Board form of government. The Select Board operates under a Charter and enacts policies intended to promote and enhance the general welfare of the Town.

1.3. Contact Information

Cindy Hsu

Deputy Procurement Officer

37 WASHINGTON STREET

NANTUCKET, MA 02554

Email: chsu@nantucket-ma.govPhone: [\(508\) 228-7200](tel:(508)228-7200) Ext: 7309**Department:**

Housing

Department Head:

Kristie Ferrantella

Director of Housing

1.4. Timeline

RFP ISSUANCE	June 17, 2024
PRE-PROPOSAL MEETING/SITE TOUR (Non-Mandatory)	July 8, 2024, 11:00am Nantucket Public Safety Facility, 4 Fairgrounds Road, Nantucket, MA 02554
INQUIRIES/QUESTION DEADLINE	July 15, 2024, 2:00pm

ADDENDA DATE	July 22, 2024, 2:00pm
RFP DUE DATE	July 29, 2024, 2:00pm
CONTRACT AWARD	September 27, 2024

2. REQUEST FOR PROPOSALS

2.1. Purpose

The purpose of this RFP is to select a developer with demonstrated experience and capacity to develop and manage a residential development project that best addresses the needs and goals of the community as described in this RFP. The Trust anticipates that proposers and/or members of their respective development teams will have demonstrated successful experience with developing and maintaining affordable rental housing, as well as the programs providing subsidy and services for such development. There are two (2) locations for consideration under this RFP:

135 and 137 Orange Street:

No more than thirty-two (32) units of workforce rental housing consistent with Section 139-8E of the Nantucket Zoning Bylaws on the property owned by the Trust located at 135 and 137 Orange Street, Nantucket, as shown on the Plans and Maps included in Attachment ____ and more particularly described in the Deeds attached hereto as Attachment ____ (the "Properties"). The Property also has the benefit of a twenty-five foot (25') wide access easement over a portion of 141 Orange Street as described in the Grant of Easement attached hereto as Attachment C. The Property contains a total of thirty-four thousand seven-hundred and forty-six 34,746 ± square feet. The parcel of land located at 135 Orange Street contains 14,374 ± square feet and the parcel of land at 137 Orange Street contains 20,372± square feet. The Trust intends to enter into a long-term ground lease and development agreement with the selected proposer requiring the developer to construct affordable workforce housing thereon and restricting the use of the Property for such purposes. All units created must be eligible for inclusion on Nantucket's Subsidized Housing Inventory as maintained by the Executive Office of Housing and Livable Communities (EOHLC).

16 Vesper Lane:

No more than seventeen (17) affordable rental units designed with a preference for residents aged 55 and above/ADA compliant consisting of studios and one-bedroom units on the property owned by the Trust located at 16 Vesper Lane, Nantucket, as shown on the Plans and Maps included in Attachment ____ and more particularly described in the Deed attached hereto as Attachment ____ (the "Property"). The Property consists of three (3) parcels: Lots 1B, 1C each containing 15,000± square feet and Lot 1D containing 12,746± square feet for a total square footage of the (3) three lots at 42,746± as delineated on Plan 2023-61. Lot 1D (the "Premises") is conveyed subject to all easements, rights of way, encumbrances, liens, covenants, conditions, and restrictions as may appear of record, insofar as the same are now in force and applicable.

2.2. 135 and 137 ORANGE STREET

DEVELOPMENT OBJECTIVES

The Trust is seeking proposals to build and maintain a maximum of thirty-two (32) year-round rental units on the site as a workforce community pursuant to Section 139-8E of Nantucket Zoning Bylaws with the purpose of creating affordable rental housing. In order to assess housing needs on Nantucket, the Town has completed a study, and its findings are found in the 2021 Housing Production Plan (Attachment ____).

It is the Trust's desire to achieve, an overall bedroom mix, including the maximum number of studio and one-bedroom units which will be permitted based on the site's capacity, good site planning, storage, landscaping considerations, and the market and financial feasibility of a mixed-income affordable rental project. The proposed unit mix must also be able to receive Executive Office of Housing and Livable Communities (EOHLC) approval for the inclusion of 100% of the units in the Town's Subsidized Housing Inventory (SHI) and any EOHLC approvals necessary to receive any requested state and/or federal subsidy funds, as applicable. The project must include a commitment to using best efforts in seeking a Local Preference for all eligible units.

The development will be subject to a Ground Lease (see example in Attachment ____) and Development Agreement (see example in Attachment ____) in forms that are acceptable to the Trust.

The Trust recommends that any predevelopment planning, and activity should be done in consultation and coordination with the Nantucket Islands Land Bank, as the owner of 141 Orange Street. The contact for the Land Bank is Jesse Bell, Executive Director: jbell@nantucketlandbank.org.

1. Affordability:

Pursuant to the Nantucket Zoning Bylaws, Section 139-8E(3), at least twenty-five (25%) percent of the units must be rented to income eligible households earning eighty (80%) percent or less of the area median income (AMI) for Nantucket County and meet the requirements for all of the rental units to be eligible for inclusion on the EOHLC SHI List. The Town is seeking that seventy (70%) percent of all affordable units shall be rented pursuant to a local preference (which shall include current Town residents, employees of local businesses and nonprofits located in the Town, households whose children attend Town schools and municipal employees) in a proposed lottery, subject to the extent permitted by federal or state law and by EOHLC regulations. The Town also prefers that twenty-five percent (25%) of the affordable units and up to twenty (20%) percent of the over-80%-AMI units be rented pursuant solely to a municipal employee preference provided it is approved by EOHLC. The Trust will assist the successful proposer and EOHLC by providing documentation of the need for the local preference.

The AMI for Nantucket County will be based upon the income data published annually by the U.S. Department of Housing and Urban Development (HUD), adjusted for household size, as well as the data published annually by MassHousing for Workforce Housing subsidy eligibility.

The Trust will convey a long-term lease of the Property to the successful proposer, with a restriction that will ensure that the housing remains affordable in perpetuity, or the longest term allowed by law. The

successful proposer will enter into a Regulatory Agreement in a form acceptable to EOHLC and the Town and will record a restriction preserving the affordability in perpetuity or the longest term allowed by law.

2. Unit Types:

It is the Trust's preference that the development reflects the Nantucket community aesthetic and provides housing for a range of family sizes, including studio/one-bedroom units, while paying particular note to the areas of greatest need as articulated in the 2021 Housing Production Plan. For this reason, the Trust is interested in the inclusion of units that are intentionally designed as 'universally accessible' providing single-floor living, which could appeal to a range of household sizes to meet a variety of needs. The total number of bedrooms cannot exceed 57 bedrooms pursuant to Section 139-8E (3) of the Nantucket Zoning Bylaws.

At least ten (10%) percent of the total dwelling units within the workforce housing rental community must contain at least three (3) bedrooms, unless such requirement is reduced by a future binding directive from EOHLC which confirms that fewer than ten (10%) percent of the three (3)-bedroom units may be included in the workforce rental community while still confirming that all of the units in the workforce rental community shall be eligible for inclusion on the Town's SHI. In such an instance, the Planning Board shall have the discretion to approve fewer three (3)-bedroom units within the workforce rental community, in conjunction with the issuance of the special permit, as long as the requirement described above with respect to confirmation of the eligibility of all of the units in the workforce rental community relative to inclusion on the Town's SHI has been met.

3. Building Design and Aesthetics:

The development's design should reflect the historical design and character of Nantucket and be an example of superior exterior and interior design. Proposers are encouraged to use their creativity and experience in building design, massing, site layout, parking, landscaping and in their choice of materials and methods of construction that will minimize maintenance costs and are energy efficient. However, the minimum requirements are that the units be housed in three or more buildings on the Property, that historic colors and materials be used and that the design adheres to the design guidelines set forth in the Historic District Commission (HDC) handbook, "Building with Nantucket in Mind" (see Attachment ____). The designs will be subject to review, input and approval of the HDC. The final appearance of the proposed development should be harmonious with existing norms for attached dwellings in the Town of Nantucket. The overall project design will be evaluated as part of the Comparative Evaluation Criteria described in Attachment ____.

Preferred amenities to be included in the development and shown on the site design are recreation spaces in relation to the availability of such space on the abutting property at 141 Orange Street owned by the Nantucket Islands Land Bank, bicycle storage, and parking. The design should also include basement storage for the units.

4. Energy Efficiency:

The Trust is seeking proposals that include building and site designs that are mindful of the tenants' energy and utility costs and limit the project's environmental impact. Details regarding sustainable design features should be incorporated into the project description. A proposal that includes net zero energy efficiency will be considered highly favorable.

Significant energy efficiency incentives have been made available to Nantucket in the past. Proposers are encouraged to reach out to Lauren Sinatra, Energy Coordinator for the Town (lsinatra@nantucket-ma.gov), to learn about current programs they may want to consider incorporating.

The Town of Nantucket, as a designated Green Community, adopted the Stretch Energy Code effective September 1, 2019 (Code of the Town of Nantucket, General Bylaws, Chapter [141](#)). The Stretch Code is an "above code" appendix to the Massachusetts Building Code, designed to result in cost-effective construction that is more energy-efficient than what is built under the "base" code. To view Massachusetts' Building Energy Codes, including the latest updates to the Stretch Code see Attachment ____.

5. Coastal Resiliency:

The Trust is seeking proposals that include building and site design that are mindful of Nantucket's "Coastal Resilience Plan" (Attachment ____) and limit the project's environmental impact, particularly addressing issues of flood control, storm surge damages, rising sea levels, and eroding coastlines. Proposers are encouraged to contact Vincent Murphy, Sustainability Programs Manager for the Town (vmurphy@nantucket-ma.gov) to learn more.

6. Site:

The site's locus is shown on the Maps included in Attachment ____ . It can be described as a generally level location with some shrubbery and trees. To the extent possible and practical, it is desirable for the design to retain the sole larger tree at the center of the site. This site has Town water and sewer in close proximity. The site is near to designated public transportation stops and is walking distance to markets, restaurants and other small businesses. The subject parcels are located in the Town's Commercial Mid-Island ("CMI") District. A copy of Nantucket Zoning Bylaws is attached (see Attachment ____).

Utilities:

- Water *Public*
- Wastewater *Public*
- Electric *National Grid*
- Cable *Comcast*

The project is required to meet lighting objectives, parking requirements, include parking with characteristic aisle width and parking place size, and ensure privacy from the surrounding properties. The project should also include design or landscaping features (such as hedges, dense plantings, fixtures and

fencing) which separate the development from the abutting parking lot, with the intent to discourage the properties from parking in each other's designated parking areas.

7. Bus Stop:

The project design should also include the creation of a bus stop on Orange Street, bordering the 137 Orange Street Lot. There may be an opportunity for the creation of a bus shelter on the 141 Orange Street Site upon consultation and approvals by the Nantucket Island Land Bank. The contact for the Land Bank is Jesse Bell, Executive Director: jbell@nantucketlandbank.org. Proposer should also coordinate with the NRTA to establish best practices for the implementation of access for a bus stop. Contact NRTA Administrator at nrtat@nantucket-ma.gov.

8. Project Permitting:

It is the Town's preference that the project is permitted as a workforce rental community development pursuant to Section 139-8E of the Town's Zoning Bylaws. The Planning Board must grant a special permit and the Historic District Commission must grant a certificate of appropriateness for the project. Any variances for dimensional requirements would be subject to Zoning Board of Appeals review and approval.

9. Acquisition Price:

The Trust is offering to lease the Property for a long-term lease of up to ninety-nine (99) years to the successful proposer, for an initial payment detailed below and at a nominal annual rent of \$1.00/year for the term of the lease; with terms of the lease to ensure the development conforms to the proposal and to ensure the income-restricted housing remains affordable for the term of the lease. In addition, funds may be available for pre-development costs upon application by the proposer and approval from the Community Preservation Committee ("CPC") or the Town of Nantucket Affordable Housing Trust Fund ("AHTF"). It is the successful proposer's responsibility to file all necessary applications with the appropriate agencies in a timely fashion.

10. Initial Lease Payment and General Partnership Interest:

The Trust will require an initial lease payment in the amount of \$10,000 to cover all Trust costs incidental to the disposition of this site. Thereafter, the current lease payments shall be for nominal consideration, as described above. The Trust retains the right to assign its ownership of the land to a community land trust or similar organization whose housing mission aligns with the Town's interests, which shall be subject to the terms of the ground lease.

PROPERTY DESCRIPTION

The subject Property is shown on the locus maps contained in Attachment _____. For the Trust's title to said Property please see the Quitclaim Deeds to the Trust attached hereto (Attachment _____).

The site is relatively flat, with some brush cover. There is a large tree along the boundary of the 135 and 137 Orange Street lots. It is desirable to retain this tree to the extent practical and possible. The lots are bordered by residential, commercial and municipal neighbors. This site lends itself particularly well to walkable living, being close to businesses, the post office, pharmacy's grocery stores, and the downtown center. Primary access to the site is anticipated over the driveway adjacent to the Rogers & Gray building and primary egress over the easement on the property at 141 Orange Street onto Dave Street, a copy of said easement is attached hereto (Attachment ____). The Trust recommends that proposers include in their proposal a determination as to whether a curb cut off Orange Street, opposite Marine Home Center will be necessary and, if so, their recommendation for the design and use of it.

2.3. 16 VESPER LANE

DEVELOPMENT OBJECTIVES

The Trust is seeking proposals to build and maintain a maximum of seventeen (17) affordable rental units designed with a preference for residents aged 55 and above, fostering a vibrant and supportive community environment. In order to assess housing needs on Nantucket, the Town has completed a study, and its findings are found in the 2021 Housing Production Plan (Attachment ____).

It is the Trust's desire to achieve, an overall bedroom mix, including the maximum number units which will be permitted based on the site's capacity, good site planning, storage, landscaping considerations, and the market and financial feasibility of a mixed-income affordable rental project. The proposed unit mix must also be able to receive Executive Office of Housing and Livable Communities (EOHLC) approval for the inclusion of 100% of the units in the Town's Subsidized Housing Inventory (SHI) and any EOHLC approvals necessary to receive any requested state and/or federal subsidy funds, as applicable. The project must include a commitment to using best efforts in seeking a Local Preference for all eligible units.

The development will be subject to a Ground Lease (see example in Attachment ____) and Development Agreement (see example in Attachment ____) in forms that are acceptable to the Trust.

1. Affordability:

Pursuant to the Nantucket Zoning Bylaws, Section 139-8E(3), at least twenty-five (25%) percent of the units must be rented to income eligible households earning eighty (80%) percent or less of the area median income (AMI) for Nantucket County and meet the requirements for all of the rental units to be eligible for inclusion on the EOHLC SHI List. The Town is seeking that seventy (70%) percent of all affordable units shall be rented pursuant to a local preference (which shall include current Town residents, employees of local businesses and nonprofits located in the Town, and municipal employees) in a proposed lottery, subject to the extent permitted by federal or state law and by EOHLC regulations. The Trust will assist the successful proposer and DHCD by providing documentation of the need for the local preference.

The AMI for Nantucket County will be based upon the income data published annually by the U.S. Department of Housing and Urban Development (HUD), adjusted for household size, as well as the data published annually by MassHousing for Workforce Housing subsidy eligibility.

The Trust will convey a long-term lease of the Property to the successful proposer, with a restriction that will ensure that the housing remains affordable in perpetuity, or the longest term allowed by law. The successful proposer will enter into a Regulatory Agreement in a form acceptable to EOHLC and the Town and will record a restriction preserving the affordability in perpetuity or the longest term allowed by law.

2. Unit Types:

It is the Trust's preference that the development reflects the Nantucket community aesthetic and provides housing for a range of family sizes, including studio/one-bedroom units, while paying particular note to the areas of greatest need as articulated in the 2021 Housing Production Plan. For this reason, the Trust is interested in the inclusion of units that are intentionally designed as 'universally accessible' providing single-floor living, which could appeal to a range of household sizes to meet a variety of needs. The total number of bedrooms cannot exceed 24 bedrooms pursuant to Section 139-8E (3) of the Nantucket Zoning Bylaws.

3. Building Design and Aesthetics:

The development's design should reflect the historical design and character of Nantucket and be an example of superior exterior and interior design. Proposers are encouraged to use their creativity and experience in building design, massing, site layout, parking, landscaping and in their choice of materials and methods of construction that will minimize maintenance costs and are energy efficient. However, the minimum requirements are that the units be housed in three or more buildings on the Property, that historic colors and materials be used and that the design adheres to the design guidelines set forth in the Historic District Commission (HDC) handbook, "Building with Nantucket in Mind" (see Attachment ____). The designs will be subject to review, input and approval of the HDC. The final appearance of the proposed development should be harmonious with existing norms for attached dwellings in the Town of Nantucket. The overall project design will be evaluated as part of the Comparative Evaluation Criteria described in Attachment ____.

Preferred amenities to be included in the development and shown on the site design are recreation spaces. The design should also include basement storage for the units.

4. Energy Efficiency:

The Trust is seeking proposals that include building and site designs that are mindful of the tenants' energy and utility costs and limit the project's environmental impact. Details regarding sustainable design features should be incorporated into the project description. A proposal that includes net zero energy efficiency will be considered highly favorable.

Significant energy efficiency incentives have been made available to Nantucket in the past. Proposers are encouraged to reach out to Lauren Sinatra, Energy Coordinator for the Town (lsinatra@nantucket-ma.gov), to learn about current programs they may want to consider incorporating.

The Town of Nantucket, as a designated Green Community, adopted the Stretch Energy Code effective September 1, 2019 (Code of the Town of Nantucket, General Bylaws, Chapter [141](#)). The Stretch Code is an “above code” appendix to the Massachusetts Building Code, designed to result in cost-effective construction that is more energy-efficient than what is built under the “base” code. To view Massachusetts’ Building Energy Codes, including the latest updates to the Stretch Code see Attachment ____.

5. Coastal Resiliency:

The Trust is seeking proposals that include building and site design that are mindful of Nantucket’s “Coastal Resilience Plan” (Attachment ____) and limit the project’s environmental impact, particularly addressing issues of flood control, storm surge damages, rising sea levels, and eroding coastlines. Proposers are encouraged to contact Vincent Murphy, Sustainability Programs Manager for the Town (vmurphy@nantucket-ma.gov) to learn more.

6. Site:

The site’s locus is shown on the Maps included in Attachment ____ . It can be described as a generally level location with some shrubbery and trees. This site has Town water and sewer in close proximity. The site is near to designated public transportation stops and is walking distance to markets, schools, restaurants and other small businesses. The subject parcels are located in the Town’s Commercial Mid-Island (“CMI”) District. A copy of Nantucket Zoning Bylaws is attached (see Attachment ____).

Utilities:

- Water *Public*
- Wastewater *Public*
- Electric *National Grid*
- Cable *Comcast*

The project is required to meet lighting objectives, parking requirements, include parking with characteristic aisle width and parking place size, and ensure privacy from the surrounding properties. The project should also include design or landscaping features (such as hedges, dense plantings, fixtures and fencing) which separate the development from the abutting parking lot, with the intent to discourage the properties from parking in each other’s designated parking areas.

7. Project Permitting:

It is the Town’s preference that the project is permitted as a workforce rental community development pursuant to Section 139-8E of the Town’s Zoning Bylaws. The Planning Board must grant a special permit and the Historic District Commission must grant a certificate of appropriateness for the project. Any variances for dimensional requirements would be subject to Zoning Board of Appeals review and approval.

8. Acquisition Price:

The Trust is offering to lease the Property for a long-term lease of up to ninety-nine (99) years to the successful proposer, for an initial payment detailed below and at a nominal annual rent of \$1.00/year for the term of the lease; with terms of the lease to ensure the development conforms to the proposal and to ensure the income-restricted housing remains affordable for the term of the lease. In addition, funds may be available for pre-development costs upon application by the proposer and approval from the Community Preservation Committee (“CPC”) or the Town of Nantucket Affordable Housing Trust Fund (“AHTF”). It is the successful proposer’s responsibility to file all necessary applications with the appropriate agencies in a timely fashion.

9. Initial Lease Payment and General Partnership Interest:

The Trust will require an initial lease payment in the amount of \$10,000 to cover all Trust costs incidental to the disposition of this site. Thereafter, the current lease payments shall be for nominal consideration, as described above. The Trust retains the right to assign its ownership of the land to a community land trust or similar organization whose housing mission aligns with the Town’s interests, which shall be subject to the terms of the ground lease.

PROPERTY DESCRIPTION

The subject Property is shown on the locus maps contained in Attachment _____. For the Trust’s title to said Property please see the Quitclaim Deeds to the Trust attached hereto (Attachment _____).

Need Vesper Lane description...

2.4. PROPOSAL SUBMISSION REQUIREMENTS

The Developer and Development Team:

The proposal must include a description of the proposed developer, including the project manager, and his/her experience. Proposals must include:

- The name, mailing address, e-mail address, and telephone number of the proposer, the name of the representative authorized to act on his/her behalf, the name and contact information of the contact to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.
- If the proposer is not an individual doing business under his/her own name, a description of the firm and status of the organization (e.g. whether a for profit, not-for-profit or charitable institution) and a description of the proposed ownership entity (e.g., a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture) and the jurisdictions in which it is registered to do business. If the proposer is a non- profit, please include a list of the organization’s Board of Directors and areas of expertise they represent.

- The nature of the entity to enter into the long-term lease of the Property and the borrower and guarantors of debt, if any.
- Identification of all principals, partners, co-ventures, or sub-developers participating in the transaction, and the nature and share of participants' ownership in the project.
- Discussion of whether the developer will also be the property manager and if the developer will not be the property manager, the name of the proposed property management organization.
- Identification of the development team, such as architects, engineers, lawyers, landscape designers, contractor, development consultants, lenders, and investors. Background information, including firm resumes and resumes for principals and employees expected to be assigned to the project, shall be provided.
- A summary of first, the developer's and secondly, the development team's experience individually and collectively, with similar projects. Particular attention should be given to demonstrate experience with projects of a similar scale and complexity of site conditions, design and financing, as well as locations similar to Nantucket. Proposer should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out design, permitting, conventional and subsidy financing, construction, marketing/unit absorption and ongoing property management.

The following order should be used when submitting the information for each project identified:

1. Project name and location
2. Project type and description
3. Project scope
4. Project(ed) start date
5. Project(ed) completion date
6. Total development costs
7. Sources of financing
8. Total number of units and bedroom sizes
9. Narrative on why your experience is relevant to the 135 & 137 Orange Street and the 16 Vesper Lane Nantucket Housing projects.
10. Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the Town and the development team during all phases of the project.
11. Information regarding any legal or administrative actions past (during the last 10 years), pending or threatened that could relate to the conduct of the proposer, its principals or any affiliates.
12. Confirmation that no local, state or federal taxes are due and outstanding for the development team, the property management team or any critical member of the project.

13. Provision of municipal references for at least three (3) completed projects, with contact names, title and current telephone numbers of those who can provide information to the Town concerning the Proposer's experience with similar projects.

14. Proposed project financing, including a Sources and Uses pro forma providing information similar to that required in the Massachusetts One Stop application (see Attachment ____), which shall include (a) a proposed pre-development budget, including all projected sources to be used to secure the necessary permits and approvals for the construction and operation of the development; (b) a construction and development budget which includes detailed sources of funds and uses; and (c) 20 year operating pro forma and rent schedule. Describe in detail previous success in securing such funding and what, if any local, state or federal subsidy money will be sought to create affordability and the timeline for securing those sources.

15. At least one (1) letter of interest from a recognized financial institution for a loan amount sufficient for the developer to construct and operate the project.

16. Completion of disclosures and certificates in Attachments ____ – "Certificate of Non-Collusion", ____ – "Tax Compliance Certificate", and ____ – "Disclosure of Beneficial Interest."

Development Concept:

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

- Number and size of units (square footage and number of bedrooms) and affordability levels. Include narrative as to why/how the mix of bedroom sizes and affordability was determined to ensure project financial feasibility and appropriateness for the marketplace.
- Preliminary site design as detailed in the Conceptual Design Drawings below.
- Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings/ "green" elements of the building and site designs.
- Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors, in particular noise and traffic during the construction period.
- Detailed development schedule for all elements of the plan including key milestones, financing and timeframes for occupancy, including EOHLC approval process.
- Outline of required land use, environmental, operational and other governmental or regulatory approvals for the necessary permits and noting any permits or waivers that will be required.

Conceptual Design Drawings:

The proposal must include 11 x 17 plans including:

- Site plan that includes building footprints, parking layout, storm drainage, recreation, and numbers of parking spaces

- Landscape plan with sufficient detail on how the plan addresses limiting the project impact on surrounding areas
- Floor plans
- Elevations (exterior building materials should be identified on elevations)
- Typical unit plans
- Dry and temperature-controlled basement storage for all units (minimum requirement of 8' X 10' per unit), relative to unit size.

Management Plan:

The proposal must include:

- Description of the proposed rents and the strategy for marketing and lottery processes that will be consistent with EOHLC's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines.
- The proposal must include a plan for the ongoing management of the project. In addition, if the proposer is including a property manager as part of its team, all relevant information as outlined under 'Developer' above should be included as well as details of any projects where the proposer and manager have previously worked together.
- Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, a lottery shall be conducted for all of the affordable units. To the extent permitted by law, the initial lottery shall give local preference as described in Section IV, "Affordability" above. Proposals may include a lottery agent as part of the development team. An approved affirmative fair housing marketing/lottery plan shall be required that is consistent with EOHLC's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines. For the proposal, the proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.

At a minimum the selected proposer and/or their agent shall demonstrate:

- A clear understanding of fair housing requirements/laws.
- A clear understanding of local preference opportunities and requirements, and how the lottery will address these.
- A clear understanding of the applicable state standards used to determine program and unit eligibility – i.e. qualified tenants.
- The ability to establish criteria for tenant selection and a fair and unbiased selection process.
- The ability to maintain all necessary reports and certifications required under state and federal law.

2.5. EVALUATION CRITERIA

Minimum Threshold Criteria:

Proposals that do not clearly and fully comply with these Minimum Threshold Criteria and are not submitted in complete form by **2:00 pm on Monday, July 29, 2024** will not be considered:

- a. Compliance with all submission requirements is mandatory.
- b. Principal members of the development team must have a minimum of five years of experience in affordable housing development.
- c. The property manager should have at least five years of property management experience.
- d. A proven track record of successfully developing and managing similar projects is required.
- e. The developer must be ready to start the permitting and application processes within 90 days of selection and have adequate staff resources to provide the necessary services.
- f. All required forms must be submitted, including:
 - i. Attachment M – Certificate of Non-Collusion;
 - ii. Attachment N – Tax Compliance;
 - iii. Attachment O – Disclosure Statement for Transactions with a Public Agency Concerning Real Property, M.G.L. c. 7C, § 38;
 - iv. Attachment P – Acknowledgement of Receipt of Documents.
- g. The proposed development should offer an affordability mix that ensures all units qualify for the Town's Subsidized Housing Inventory per EOHLC's criteria, with at least 25% of units being affordable at or below 80% of the Area Median Income (AMI).

Comparative Evaluation Criteria:

Projects meeting the Minimum Threshold Criteria will then be judged on the Comparative Evaluation Criteria (see Attachment ____). The Trust will use the comparative criteria for each subject, and which will be rated on a scale of Unacceptable (U), Not Advantageous (NA), Advantageous (A) or Highly Advantageous (HA) for each listed subject as set forth on the Comparative Evaluation Criteria.

2.6. SELECTION PROCESS AND RULES FOR AWARD

All proposals submitted by the deadline will be opened pursuant to M.G.L. c. 30B, 6(d) and recorded. All information contained in the proposals is public. The Trust or its designee(s) (i.e., an evaluation committee) will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined in the "Comparative Evaluation Criteria." Evaluation of the proposals will be based on the information provided in the proposer's submission in accordance with the submission requirements of this RFP and any references, and additional information requested and/or gathered by the Trust. The most highly advantageous proposal from the proposer deemed most responsive and responsible, taking into consideration all evaluation criteria set forth in the RFP, will be selected by the Trust or its designees. **The Trust reserves the right to select the proposal that best meets the needs of the community and that may not be the proposal that achieves the highest score. The Trust reserves the right to not make any award if it determines in its sole discretion that it is in the best interest of the Town.**

The Trust will notify in writing all Registered Proposers of its decision.

2.7. POST SELECTION

Development Agreement:

It is the intent of the Trust to enter into a development agreement with the selected proposer within ninety (90) days of selection and a long-term lease of the land with terms to ensure the development conforms to the proposal, and restrictions to require the housing remain affordable for the term of the lease, after certain benchmarks have been met. A draft Development Agreement can be found at Attachment ____.

Chapter 30B Real Property Dispositions to Promote Public Purpose Requirements:

The name of the selected proposer and the amount of the transaction will be submitted for publication in the state's *Central Register*.

The Trust has determined that the public purpose of the project is best met by disposing of the property for less than fair market value; the Trust will post a notice in the state's *Central Register* explaining the reasons for this decision and disclosing the difference between the property value and the price to be received. This notice will be published before the Trust enters into any agreement with the developer.

2.8. ATTACHMENTS

- A. Maps of the Property and surroundings
- B. Quitclaim Deeds
- C. Easement
- D. 2021 Housing Production Plan
- E. Draft Form of Ground Lease
- F. Draft Form of Land Development Agreement
- G. Building With Nantucket in Mind
- H. Comparative Evaluation Criteria
- I. Nantucket Zoning Bylaws
- J. Massachusetts' Building Energy codes
- K. Nantucket's Coastal Resilience Plan
- L. Sections 3 and 4 of Massachusetts One Stop Application

Required Documents:

- M. Certificate of Non-Collusion
- N. Tax Compliance Certificate
- O. Disclosure Statement for Transaction with a Public Agency Concerning Real Property
- P. Acknowledgement of Receipt Documents

2.9. Quality of Work

A. Reporting

Throughout the study the winning Proposer will closely work with the Housing and will be expected to provide regular updates a specified time. The Proposer will spend considerable time explaining the methodology, the analysis and the draft to The Housing Trust before being presented. The final product will be presented by the Proposer to the Board of Selectman in a public meeting.

B. Analysis

A completed report will include an executive summary, methodology, data analysis, source materials, critical observations of current, and final recommendations.

C. Project Completion

The consultant must be ready to commence the project within 60 days of the contract award and must complete the project with 36 of the project commencement.

2.10. Project Schedule

Anticipating 36 months of time will be required to complete the above Scope of Work and to obtain the required approvals from the various local, state, and federal regulatory agencies.

3. General Information and Submission Requirements

gh its Town Administration, invites qualified responders to submit proposals for Request for Proposals for Affordable Housing Development (Orange Street and Vesper Lane). This contract begins September 1, 2024 and expires August 31, 2027.

3.1. GENERAL INFORMATION AND SUBMISSION REQUIREMENTS

- A. Requests for Proposals can be obtained from and will be accepted at the Town of Nantucket's e-Procurement Portal <https://procurement.opengov.com/portal/nantucket> beginning Monday, June 17, 2024, and proposals will be accepted until **2:00 pm on Monday, July 29, 2024** and must be electronically submitted via the Town's e-Procurement Portal. *Proposers must register on the Town's e-Procurement Portal and click "Follow" on the bid postings page in order to ensure receipt of any changes or addenda to the IFB.*
- B. Price and non-price (technical) proposals must each be submitted via the e-Procurement Portal at <https://procurement.opengov.com/portal/nantucket>
- C. Failure to comply strictly with these requirements may result in the rejection of a proposal.
- D. Proposals shall not be opened publicly but will be opened in the presence of one or more witnesses. At the opening of the proposals the Chief Procurement Officer or their Designee shall prepare a register of proposals which shall include the name of each offeror and the number of modifications, if any, received. The register of proposals shall be open for public

inspection. Proposals will not be available to the public until after the evaluation of proposals is complete.

- E. Award date. Award will be made within NO VALUE after proposal opening unless otherwise stated in the specifications or the time for award is extended by mutual consent of all parties. All submittals shall be valid for a minimum period of sixty (60) calendar days following the date established for acceptance. The Town shall award a contract, if at all, to the responsible offeror whose proposal is responsive and the most advantageous taking into consideration price and the evaluation criteria set forth in this Request for Proposals.
- F. If any changes are made to this RFP, an addendum will be issued. Addenda notification will be emailed to all companies and individuals who are following the RFP posting by clicking on “Follow” on the *bid postings page*. Each responder shall acknowledge receipt of any and all addendum issues via the Town's e-Procurement portal. Failure to do so may cause rejection of the submittal as being unresponsive.
- G. Questions concerning this RFP must be submitted via the Question & Answer feature of the Town's e-Procurement portal **before 2:00 pm on Monday, July 15, 2024**. Written responses will be posted on the Town's e-Procurement Portal in the form of Addenda if necessary and an automatic email will sent to all bidders who are following the RFP.
- H. Attempts made by proposers to contact Town employees directly with questions subject the proposer to disqualification. It is the sole responsibility of the proposer to ascertain the existence of any addenda and/or modifications issued by the Town. As this RFP has been published on the Town's e-Procurement Portal all proposers are responsible for checking the website for any addenda and/or modifications that are subsequently made to this RFP.
- I. Responses may be modified, corrected or withdrawn by the proposers via Town's e-Procurement Portal before **Monday, July 29, 2024, at 2:00 pm**.
- J. An offeror may correct, modify, or withdraw a proposal by written notice received in the office designated above prior to the time and date set for the receipt of all proposals. After such time and date, an offeror may not change the price or any other provision of the proposal in a manner prejudicial to the interests of the Town or fair competition. The procurement officer shall waive minor informalities or allow the offeror to correct them. If a mistake and the intended bid are clearly evident on the face of the proposal document, the procurement officer shall correct the mistake to reflect the intended correct offer and so notify the offeror in writing, and the offeror may not withdraw the proposal. An offeror may withdraw a proposal if a mistake is clearly evident on the face of the proposal document, but the intended correct offer is not similarly evident.

- K. Negligence on the part of the responder in preparing the proposal confers no rights for the withdrawal of the proposal after it has been opened.
- L. The Town of Nantucket reserves the right to reject any and all responses and to waive any minor informality in responses received whenever such rejection or waiver is in its best interest and to the extent doing so is permitted by law in accordance with section 6 of Chapter 30B of the General Laws.
- M. The Town of Nantucket will not be responsible for any expenses incurred in preparing and submitting responses. All submittals shall become the property of the Town of Nantucket. All plans, specifications and other documents resulting from this contract shall become the property of the Town of Nantucket. All proposals shall be deemed a public record.
- N. Responders must be willing to enter into the Town of Nantucket's standard form of contract.
- O. The RFP, and any subsequent contract for the services, is hereby issued in accordance with M.G. L. c. 30B.
- P. Sealed proposals received prior to the date of opening will be kept unopened. No responsibility will attach to an officer or person for the premature opening of a proposal not properly addressed, sealed and/or identified.
- Q. Any proposals received after the advertised date and time for opening will be returned to the responder unopened.
- R. Purchases by the Town of Nantucket are exempt from federal, state and municipal sales and/or excise taxes.
- S. The Tax Compliance Certification and the Certificate of Non-Collusion, must be completed, signed, and enclosed with the non-price proposal. These forms must be signed by the authorized individual(s).
- T. Unexpected closures. If, at the time of the scheduled response opening, Town Hall is closed due to uncontrolled events such as fire, snow, ice, wind or building evacuation, the response opening will be postponed until 3:00 PM on the next normal business day. Proposals will be accepted until that date and time.
- U. The Town of Nantucket is an Affirmative Action/Equal Opportunity Employer. The Town encourages submittals from qualified MBE/DBE/WBE firms.
- V. Responses to the RFP must be prepared according to the guidelines set forth herein. Selection of the successful responder will be based upon an evaluation and analysis of the information and materials required under the RFP, and in accordance with section 6 of Chapter 30B of the General Laws.

W. All responders should be aware that the Town is no longer accepting responses by mail. All responses must be submitted electronically.

4. Proposal Submission

PROPOSAL SUBMISSIONS

4.1. Site Tour and Briefing

Interested proposers are strongly encouraged to attend an on-site briefing session on _____, **2024 from _____ to _____** at the Nantucket Public Safety Facility, 4 Fairgrounds Road, Nantucket, MA 02554. Registration to attend the briefing is required no later than _____ **on _____, 2024.** To register, or for additional information related to the site visit, please send an e-mail to procurement@nantucket-ma.gov.

The site tour and briefing will be an opportunity in a group setting for questions about this project to be asked and answered. The Trust will send summary minutes of the Meeting to all those registered; however, the Trust is not responsible for making sure all aspects of the meeting and group discussion are relayed to anyone not in attendance at this Site Tour.

Following the Site Tour, the Trust reserves the right to amend the RFP criteria.

4.2. The Developer and Development Team

The proposal must include a description of the proposed developer, including the project manager, and their experience. Proposals must include:

The name, mailing address, e-mail address, and telephone number of the proposer, the name of the representative authorized to act on their behalf, the name and contact information of the contact to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.

If the proposer is not an individual doing business under their own name, a description of the firm and status of the organization (e.g. whether a for profit, not-for-profit or charitable institution) and a description of the proposed ownership entity (e.g., a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture) and the jurisdictions in which it is registered to do business. If the proposer is a non-profit, please include a list of the organization's Board of Directors and areas of expertise they represent.

The nature of the entity to enter into the long-term lease of the Property and the borrower and guarantors of debt, if any.

Identification of all principals, partners, co-ventures or sub-developers participating in the transaction, and the nature and share of participants' ownership in the project.

Discussion of whether the developer will also be the property manager and if the developer will not be the property manager, the name of the proposed property management organization.

Identification of the development team, such as architects, engineers, lawyers, landscape designers, contractor, development consultants, lenders, and investors. Background information, including firm resumes and resumes for principals and employees expected to be assigned to the project, shall be provided.

A summary of first, the developer's and secondly, the development team's experience individually and collectively, with similar projects. Particular attention should be given to demonstrate experience with projects of a similar scale and complexity of site conditions, design and financing, as well as locations similar to Nantucket. Proposer should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out design, permitting, conventional and subsidy financing, construction, marketing/unit absorption and ongoing property management.

The following order should be used when submitting the information for each project identified:

- A. Project name and location
- B. Project type and description
- C. Project scope
- D. Project(ed) start date.
- E. Project(ed) completion date
- F. Total development costs
- G. Sources of financing
- H. Total number of units and bedroom sizes
- I. Narrative on why your experience is relevant to the 7 Amelia Drive Nantucket Housing project.
- J. Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the Town and the development team during all phases of the project.
- K. Information regarding any legal or administrative actions past (during the last 10 years), pending or threatened that could relate to the conduct of the proposer, its principals or any affiliates.
- L. Confirmation that no local, state or federal taxes are due and outstanding for the development team, the property management team or any critical member of the project.
- M. Provision of municipal references for at least three (3) completed projects, with contact names, title and current telephone numbers of those who can provide information to the Town concerning the Proposer's experience with similar projects.
- N. Proposed project financing, including a Sources and Uses pro forma providing information similar to that required in the Massachusetts One Stop application (see Attachment L), which shall include (a) a proposed pre-development budget, including all projected sources to be used to secure the necessary permits and approvals for the construction and operation of the development; (b) a construction and development budget which includes detailed sources of funds and uses; and (c) 20 year operating pro forma and rent schedule. Describe in detail previous success in securing such funding and what, if any local, state or federal subsidy money will be sought to create affordability and the timeline for securing those sources.

- O. At least one (1) letter of interest from a recognized financial institution for a loan amount sufficient for the developer to construct and operate the project.
- P. Completion of disclosures and certificates in Attachments ____ – “Certificate of Non- Collusion”, ____ – “Tax Compliance Certificate”, and ____ – “Disclosure of Beneficial Interest.”

4.3. Development Concept

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

- Number and size of units (square footage and number of bedrooms) and affordability levels. Include narrative as to why/how the mix of bedroom sizes and affordability was determined to ensure project financial feasibility and appropriateness for the marketplace.
- Preliminary site design as detailed in the Conceptual Design Drawings below.
- Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings/ “green” elements of the building and site designs.
- Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors, in particular noise and traffic during the construction period.
- Detailed development schedule for all elements of the plan including key milestones, financing and timeframes for occupancy, including EOHLC approval process.
- Outline of required land use, environmental, operational and other governmental or regulatory approvals for the necessary permits and noting any permits or waivers that will be required.

Conceptual Design Drawings:

The proposal must include 11 x 17 plans including:

- Site plan that includes building footprints, parking layout, storm drainage, recreation, and numbers of parking spaces
- Landscape plan with sufficient detail on how the plan addresses limiting the project impact on surrounding areas
- Floor plans
- Elevations (exterior building materials should be identified on elevations)
- Typical unit plans
- Dry and temperature-controlled basement storage for all units relative to unit size.

Management Plan:

The proposal must include:

- Description of the proposed rents and the strategy for marketing and lottery processes that will be consistent with EOHLC's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines.
- The proposal must include a plan for the ongoing management of the project. In addition, if the proposer is including a property manager as part of its team, all relevant information as outlined under 'Developer' above should be included as well as details of any projects where the proposer and manager have previously worked together.
- Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, a lottery shall be conducted for all of the affordable units. To the extent permitted by law, the initial lottery shall give local preference as described in Section IV, "Affordability" above. Proposals may include a lottery agent as part of the development team. An approved affirmative fair housing marketing/lottery plan shall be required that is consistent with EOHLC's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines. For the proposal, the proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.

At a minimum the selected proposer and/or their agent shall demonstrate:

- A clear understanding of fair housing requirements/laws.
- A clear understanding of local preference opportunities and requirements, and how the lottery will address these.
- A clear understanding of the applicable state standards used to determine program and unit eligibility – i.e. qualified tenants.
- The ability to establish criteria for tenant selection and a fair and unbiased selection process.
- The ability to maintain all necessary reports and certifications required under state and federal law.

4.4. Technical (Non-Price) Proposal

- A. Proposer must include a non-price proposal or business plan that clearly addresses the provisions of this RFP.
- B. Proposer must include proof of financial stability in the Technical Proposal. This shall be in the form of a bank reference or audited financial statements of the business entity.
- C. References are to be included with the Technical Proposal. Please include a list of all clients for whom you have provided a similar service during the past three (3) years. Please include a contact name, company name, address, and telephone number. The Town expects to check references. One or more poor references may be a basis for determining that a proposer is not

responsible and result in a rejection of the proposal. Reference questions will include but may not be limited to service quality and general customer satisfaction.

4.5. Price Proposal

Please provide separate price proposal(s) as a lump sum amount. Offerors must use the price proposal table contained within this RFP.

5. Comparative Qualification Criteria

5.1. Minimum Quality Criteria

No.	Evaluation Criteria	Scoring Method	Weight (Points)
1.	ORANGE STREET PROPOSAL Ability of the organization to complete this project on time (personnel abilities, size, resources)	N/A	N/A
2.	VESPER LANE PROPOSAL Plan to complete project on schedule (timeline, time on island, methodology, etc.)	N/A	N/A
3.	Experience Experience with municipalities comparable to Nantucket or larger	N/A	N/A
4.	Proof of Business Provide proof that the business or members of the business, as currently constituted, has been regularly and actively engaged on a full-time basis in the type of work described in the section of this RFP entitled "SCOPE OF WORK" for a minimum of the past five (5) years. Such proof must include contact information for all owners for whom the offeror has performed services over the past five (5) years.	N/A	N/A

5.2. Comparative Qualification Criteria

No.	Evaluation Criteria	Scoring Method	Weight (Points)
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1.	ORANGE STREET AND VESPER LANE BUNDLE • Demonstrates the capacity to develop the parcels at Orange Street and Vesper Lane. • Proposal submitted includes plans for both parcels. o Highly Advantageous: Developer submits and proposes to develop both 135 and 137 Orange Street and Vesper Lane. o Advantageous: Developer submits and proposes to develop both 135 and 137 Orange Street and Vesper Lane but the proposal lacks strength for one of the parcels. o Not advantageous: Developer submits and proposes to develop one parcel. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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2.	DEVELOPER EXPERIENCE & CAPACITY (TEAM) • Demonstrated experience in and capability for designing, permitting, developing and managing similar residential projects. • Outcome of comparable projects • Demonstrated experience securing financing for similar projects • Experience developing energy efficient homes • Property management experience with similar projects • The quality of the team's reputation and references, particularly in terms of its regulatory track record and ability to complete projects as proposed • Success in marketing approach, including affirmative fair housing marketing plans and lottery, meeting State requirements • Successful long-term management approach o Highly Advantageous: 1. Development team members have significant and substantial successful development of affordable housing project of similar scope (i.e., 8 or more years), including significant legal, design, financing, affordable housing management and development experience. 2. Energy efficient design is their standard approach to design and development. o Advantageous: 1. Development team members have had significant experience in the development of projects of similar scope (i.e., 5-7 years), including significant legal, design, financing, affordable housing management, and development experience. 2. Energy efficient buildings part of standard development approach. o Not advantageous: Development team members have had only minimal experience in the development of projects with similar scope	N/A	N/A
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	(i.e., less than 5 years), including legal, design, development, financing, and management experience with rental housing. o Unacceptable: The Bidder did not address the criterion		
3.	AFFORDABILITY • Proposal meets the greatest level of affordability fiscally possible. • Proposal meets requirements to have all units qualify on the SHI list • Addresses the Town's desire to work to provide at least 25% affordable units and 10% of market units allocated to municipal employee use, if approved by EOHLC. o Highly Advantageous: The proposal meets the requirements of the Town's Zoning Bylaws and contains at least 25% of the units affordable to household at 80% AMI or less and the proposal complies with EOHLC guidelines for local preferences including the municipal employee preference. o Advantageous: The proposal meets the requirements of the Town's Zoning Bylaws and contains 25% of the units affordable to households at 80% AMI or less and the proposal complies with EOHLC Guidelines for local preferences including the municipal employee preference. o Not advantageous: The proposal does not meet the requirements of the Town's Zoning Bylaws and contains less than 25% of the units affordable to households at 80% or less AMI. o Unacceptable: The Bidder did not address the criterion	N/A	N/A

4.	NUMBER OF UNITS AND PERMITTING AT ORANGE STREET - No more than 32 units will be constructed on the property. - Workforce rental housing pursuant to Nantucket Zoning Bylaws. o Highly Advantageous: Proposal has 25 or more units permitted by Nantucket Zoning Bylaws. o Advantageous: Proposal is for 16-24 units permitted by Nantucket Zoning Bylaws. o Not advantageous: Proposal is for fewer than 16 units and does not clearly address the permitting for the project. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
5.	NUMBER OF UNITS AND PERMITTING AT VESPER LANE - No more than 19 units will be constructed on the property. - Affordable rental units for residents aged 55 and above/ADA compliant, pursuant to Nantucket Zoning Bylaws. o Highly Advantageous: Proposal has 16 or more units permitted by Nantucket Zoning Bylaws. o Advantageous: Proposal is for 12-15 units permitted by Nantucket Zoning Bylaws. o Not advantageous: Proposal is for fewer than 12 units and does not clearly address the permitting for the project. o Unacceptable: The Bidder did not address the criterion	N/A	N/A

6.	SITE DESIGN • Thoughtful and efficient site design, minimizing impervious surfaces • Uses standards of low impact development • Underground utilities • Exterior lighting – minimal impact to neighbors • Buffer to neighboring properties • Storm water management • Landscape plan including parking area • Area designated for snow • Adequate screened visitor parking • Central trash and recycling area, appropriately screened • Bus pull-off area and shelter o Highly Advantageous: The proposal meets all “advantageous” requirements and respects adjacent properties, provides heightened attention to landscaping plan, grading, and lighting; helps with the restoration of the vegetation, which includes plans to save the large tree on site. Bus stop creation is incorporated into design. o Advantageous: The proposal meets or exceeds all design requirements of the RFP with thoughtful traffic flow, buildings siting, minimal impact of exterior lighting, and development design, may include plans to save large tree on site. o Not advantageous: Proposal fails to include or address all site design criteria. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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7.	SUSTAINABILITY • Energy efficient design • Elevation level with coastal resiliency in mind o Highly Advantageous: Proposal incorporates required stretch energy code, and exceeds sustainability and energy efficiency goals, including a net zero energy efficiency. Proposal goes above and beyond to incorporate flood mitigation and additional Coastal Resilience Plan strategies. o Advantageous: Proposal incorporates required energy- efficient design as outlined by the Stretch Code. Proposal incorporates the Coastal Reliance Plan and addresses flood control. o Not advantageous: Proposal does not include energy- efficient design. Proposal does not incorporate any elements of coastal resilience and flood control. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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8.	BUILDING DESIGN • Exterior design and materials is of high quality, while remaining compatible with local historical design, including the use of historic colors • Creative design that is cost effective and high quality • Interior layouts meet a variety of family- type needs • Finishes support durability and low-maintenance for tenant • Management office on-site with storage • Adequate tenant dry, temperature-controlled storage (in basement) o Highly Advantageous: Proposal articulates a compelling development vision that is cost-effective, energy efficient, and has an attractive design and efficient use of interior space, reflects local historical design. o Advantageous: Proposal creates a development that reflects local historical design and efficient interior layouts, creating a desirable neighborhood. o Not advantageous: Design appears incongruous with local historical design patterns, interior lay-outs not effective use of space. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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9.	FINANCIAL FEASIBILITY • Adequacy of proposed budgets (development and operating) • Appropriateness of rents in relation to market • Track record of securing proposed conventional and subsidy financing • No financial support from the Town except for the contribution of the proposed land o Highly Advantageous: Proposal contains realistic development and operating budgets and evidence of a high degree of success in securing necessary financing and other sources of funding and does not include any additional financial support from the Town. o Advantageous: Proposal contains realistic development and operating budgets and evidence of success in securing necessary financing and includes application for additional financial support for Town CPC or AHTF grants. o Not advantageous: Proposal does not demonstrate an understanding of development costs and operating budgets for affordable housing and requires Town's additional monetary support or infrastructure. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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10.	REFERENCES AND SITE VISITS - References – a minimum of three municipal references, include references from all projects undertaken in the last 10 years. - Site visits – the selection committee may choose to visit proposers' completed projects. o Highly Advantageous: 1. Strong references reflecting timely completion, excellent budget control, property management structure excellence and high degree of professionalism of developer. 2. Properties visited were in excellent condition, site layout and landscaping excellent, excellent building design and use of energy efficient and durable materials. Written evidence of broad residents' support of the project including testimonials. o Advantageous: 1. Strong references reflecting projects came in on time and within budget, good property management structure. 2. Properties visited were in good condition, site layout was efficient, buildings were well designed, and residents were overall satisfied and there is no evidence of systemic issues. o Not advantageous: 1. Minimum of 3 references not met, or references were poor and/or inadequate. 2. Properties visited were in poor condition. Evidence of widespread resident dissatisfaction. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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5.3. Phase 3

No.	Evaluation Criteria	Scoring Method	Weight (Points)
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1.	PRESENTATION • PowerPoint presentation highlighting plans for development of the parcel(s). • Presenters include financier who can speak as to the proposed financing. • Addresses any questions or concerns from Phase 2 of the evaluation process. o Highly Advantageous: 1. Presentation is clear and well prepared. Proposer highlights the plans for development of the parcel(s) with a breakdown of the proposal. 2. Financer clearly understands the Town's position with the development of the parcel(s) and provides strong responses to financial questions. 3. Proposer offers responses and solutions to questions and concerns addressed by the evaluation committee during Phase 2 of the evaluation. o Advantageous: 1. Presentation is clear and the basic information is provided. Proposer highlights the plans for development of the parcel(s), but the breakdown lacks detail. 2. Financer provides responses to financial questions. Further discussion is needed to understand the Town's position with the development of the parcel(s). 3. Proposer offers responses and solutions to some of the questions and concerns addressed by the evaluation committee during Phase 2 of the evaluation. o Not advantageous: 1. Presentation lacks preparation and fails to highlight the plans and breakdown of the development. 2. Financer is not present and financing unable to be addressed in presentation. 3. Questions and concerns from Phase 2 of the evaluation process are not addressed. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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6. Vendor Questionnaire

MINIMUM QUALIFICATION CRITERIA FORM

Form should be filled out in its entirety by respondent. If additional space is required, supplemental pages can be attached. Project name and reference information must be consolidated in the form.

The Contractor and pertinent subcontractors must meet each of the following qualifications to be eligible to perform this work for the Town.

6.1. Ability of the organization to complete this project on time (personnel abilities, size, resources)*

☐ Yes

☐ No

*Response required

6.2. Plan to complete project on schedule (timeline, time on island, methodology, etc.)*

☐ Yes

☐ No

*Response required

6.3. Experience with Municipalities comparable to Nantucket or larger*

☐ Yes

☐ No

*Response required

6.4. Proof of Work Experience*

Provide proof that the business or members of the business, as currently constituted, has been regularly and actively engaged on a full-time basis in the type of work described in the section of this RFP entitled "SCOPE OF WORK" for a minimum of the past five (5) years. Such proof must include contact information for all owners for whom the offeror has performed services over the past five (5) years.

☐ Yes

☐ No

*Response required

6.5. Technical Proposal *

Please upload the complete Technical Proposal for this project as described in the Section "Proposal Submission" and "Proposal Evaluation Criteria - Minimum Quality Requirements"

DO NOT INCLUDE ANY PRICING INFORMATION. Please complete the "Price Proposal" section of the RFP

*Response required

6.6. Price Proposal*

*Response required

6.7. 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 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.

☐ Please confirm

*Response required

6.8. Tax Compliance Certification *

Pursuant to M.G.L. 62C, §49A, I certify under the penalties of perjury that I am authorized to represent and sign agreements for _____, which is in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

☐ Please confirm

*Response required

6.9. Tax Compliance and Non-Collusion Form *

Please download the below documents, complete, and upload.

- [Tax Compliance Certificatio...](#)

*Response required

6.10. List of References*

Provide here specific project names, each of which identifies a project whose references and description are provided in the "Relevant Experience and Similar Projects" section of the proposal:

Please download the below documents, complete, and upload.

- [REFERENCE_LIST.docx](#)

*Response required

6.11. Evidence of Financial Stability *

*Response required

6.12. Proof of Insurance *

Insurance Required: Responders shall obtain and maintain at its expense and from insurance companies of a Best Rating of A or better, which are licensed to do business in the Commonwealth of Massachusetts, insurance as set forth below.

Please upload your proof of insurance.

*Response required

6.13. Certificate of Authority *

*Response required

6.14. W9 Form Request

Please upload a completed W-9 Form if you have not worked with the Town of Nantucket in the past. The W-9 will be used to set up the Contractor as a Vendor for the Town of Nantucket.

7. Insurance and Indemnification

7.1. Insurance

Worker's Compensation: Worker's Compensation insurance in accordance with Massachusetts General Laws Chapter 152, as amended.

Liability: Comprehensive General Liability insurance including products liability for a combined single amount of \$2,000,000. This policy must have as one of its terms a provision that the Town and County of Nantucket and its Town of Nantucket are additional insured parties. A copy of this policy showing the Town as an additional insured is to be provided to the Town of Nantucket annually on or before March 1. Such policy must also contain a provision that the Town of Nantucket will be provided with ten (10) days written notice by the insurer of any intent to cancel or a determination that such insurance will not be renewed.

Automobile Liability: Insurance of not less than \$1 million combined single limit covering owned, hired and non-hired vehicle use.

7.2. Indemnification

Indemnification: The CONTRACTOR agrees at all times during the term of this contract to indemnify, hold and save harmless, the Town of Nantucket and the Town of Nantucket and its officials, employees and agents from and against any and all action or causes of actions, claims, demands, liabilities, losses, damages or expense of whatsoever kind and nature including all legal costs arising out of or in connection with the operation and rental by CONTRACTOR of the premises or its performance or failure to perform or any provision of this contract.

Waiver of Rights of Recovery: The CONTRACTOR also agrees to waive all rights of recovery it may have against the Town of Nantucket and the Town and County of Nantucket for any loss to property or person for which the CONTRACTOR is insured.

8. Rule for Award

8.1. RULE FOR AWARD

The Town will determine the most advantageous proposal from a responsible and responsive bidder, taking into consideration price and all evaluation criteria set forth in the RFP.

9. Term of Contract

9.1. TERM OF CONTRACT

The contract agreement awarded will be for 3 year(s) ending in August 31, 2027.

Town and County of Nantucket

37 Washington Street

Nantucket, MA 02554



REQUEST FOR PROPOSALS

REQUEST FOR PROPOSALS FOR AFFORDABLE HOUSING DEVELOPMENT - 7 AMELIA DRIVE

2024-AHT-0617A

RFP ISSUANCE	July 22, 2024
PRE-PROPOSAL MEETING/SITE TOUR (Non-Mandatory)	August 12, 2024, 11:00am Nantucket Public Safety Facility, 4 Fairgrounds Road, Nantucket, MA 02554
INQUIRIES/QUESTION DEADLINE	August 19, 2024, 2:00pm
ADDENDA DATE	August 26, 2024, 2:00pm
RFP DUE DATE	September 3, 2024, 2:00pm
CONTRACT AWARD	October 25, 2024

RESPONSES MUST BE SUBMITTED ELECTRONICALLY TO:

<https://procurement.opengov.com/portal/nantucket>

DRAFT

Town and County of Nantucket
REQUEST FOR PROPOSALS

Request for Proposals for Affordable Housing Development - 7 Amelia
Drive

I.	Important Dates
II.	REQUEST FOR PROPOSALS.....
III.	General Information and Submission Requirements
IV.	Proposal Submission
V.	Comparative Qualification Criteria
VI.	Vendor Questionnaire.....
VII.	Insurance and Indemnification
VIII.	Rule for Award
IX.	Term of Contract

Attachments:

A - New Plot Plan

B - Deed

1. Important Dates

1.1. Summary

The Town of Nantucket, through its Town Administration, is seeking proposals from qualified developers for the development, within local zoning, and ongoing management of no more than three (3) units of year-round permanently restricted housing on a portion of Town-owned land located at 7 Amelia Drive, Nantucket. The portion of the land to be developed contains approximately seven thousand seven hundred and fifty-six (7,756) square feet. (Being a portion of Lot 23 Map included in Attachment A - the "Property"). A copy of the deed to the Town-owned land recorded with Nantucket County Registry of Deeds in Book 1704, Page 245, is attached as Attachment B.

1.2. Background

The Town of Nantucket is located 30 miles off the south coast of Cape Cod. It was settled in 1659 and incorporated in 1671. The Town has an annual year-round population of over 14,000 and approximately 60,000 seasonal residents. The island is 14 miles in length and 3 1/2 miles wide. The Town of Nantucket is within the County of Nantucket. It operates an operated skilled nursing facility, an extensive Public School System and other municipal operations. The Town functions under a Town Manager/Select Board form of government. The Select Board operates under a Charter and enacts policies intended to promote and enhance the general welfare of the Town.

1.3. Contact Information

Cindy Hsu

Deputy Procurement Officer
37 WASHINGTON STREET
NANTUCKET, MA 02554
Email: chsu@nantucket-ma.gov
Phone: [\(508\) 228-7200](tel:(508)228-7200) Ext: 7309

Department:

Housing

Department Head:

Kristie Ferrantella
Director of Housing

1.4. Timeline

RFP ISSUANCE	July 22, 2024
PRE-PROPOSAL MEETING/SITE TOUR (Non-Mandatory)	August 12, 2024, 11:00am Nantucket Public Safety Facility, 4 Fairgrounds Road, Nantucket, MA 02554
INQUIRIES/QUESTION DEADLINE	August 19, 2024, 2:00pm

ADDENDA DATE	August 26, 2024, 2:00pm
RFP DUE DATE	September 3, 2024, 2:00pm
CONTRACT AWARD	October 25, 2024

2. REQUEST FOR PROPOSALS

2.1. Purpose

The purpose of this RFP is to select a developer with demonstrated experience and capacity to develop and manage a residential development project that best addresses the needs and goals of the community as described in this RFP. The Town anticipates that proposers and/or members of their respective development teams will have demonstrated successful experience with developing and maintaining affordable housing, as well as the programs providing subsidy and services for such development.

2.2. DEVELOPMENT OBJECTIVES

The Town is seeking proposals to build and maintain a maximum of three (3) housing units on the site as permanently restricted year-round housing. While not required, the inclusion of commercial space for a nonprofit enterprise will be considered. The priority is achieving the maximum number of housing units.

In order to assess housing needs on Nantucket, the Town has completed a study, and its findings are found in the certified 2021 Housing Production Plan (Attachment C). It is the Town's desire to achieve, an overall bedroom mix, including the maximum number of units which will be permitted based on the site's capacity, good site planning, storage, parking, and landscaping considerations, and the market and financial feasibility of an affordable housing project. The proposed unit mix must also be able to receive Executive Office of Housing and Livable Communities (EOHLC) approval for the inclusion of one hundred percent (100%) of the units in the Town's Subsidized Housing Inventory (SHI) and any EOHLC approvals necessary to receive any requested state and/or federal subsidy funds, as applicable.

The development will be subject to a Ground Lease (see example in Attachment H) and Development Agreement (see example in Attachment I) in forms that are acceptable to the Town.

1. Affordability:

One hundred (100%) percent of the units must be rented to income-eligible households earning one hundred (100%) percent or less of the area median income (AMI) for Nantucket County and meet the requirements for all of the units to be eligible for inclusion on the EOHLC SHI list. The Town would also seek to have the project eligible for Local Preference, provided it is approved by EOHLC.

The AMI for Nantucket County will be based upon the income data published annually by the U.S. Department of Housing and Urban Development (HUD), adjusted for household size.

The Town will enter into a long-term lease of the property to the successful proposer, with a restriction that will ensure that the housing remains affordable in perpetuity, or the longest term allowed by law. The successful proposer will enter into a Regulatory Agreement in a form acceptable to EOHLC and the Town and will record a restriction preserving the affordability in perpetuity or the longest term allowed by law.

2. Unit Types:

It is the Town's preference that the development reflects the Nantucket community aesthetic and provides housing for a range of family sizes while paying particular note to the areas of greatest need as articulated in the 2021 Housing Production Plan.

3. Building Design and Aesthetics:

The development's design should reflect the historical design and character of Nantucket and be an example of superior exterior and interior design. Proposers are encouraged to use their creativity and experience in building design, massing, site layout, parking, landscaping and in their choice of materials and methods of construction that will minimize maintenance costs and are energy efficient.

However, the minimum requirements are that historic colors and materials be used and that the design adheres to the design guidelines set forth in the Historic District Commission (HDC) handbook, "Building with Nantucket in Mind" (see Attachment D). The designs will be subject to review and input of the HDC. The final appearance of the proposed development should be harmonious with existing norms for dwellings in the Town of Nantucket. The overall project design will be evaluated as part of the Comparative Evaluation Criteria described in Attachment E.

Preferred amenities to be included in the development are interior storage, landscape screening, and adequate parking.

4. Energy Efficiency:

The Town is seeking proposals that include building and site designs that are mindful of the tenants' energy and utility costs and limit the project's environmental impact. Details regarding sustainable design features should be incorporated into the project description. A proposal that includes net zero energy efficiency will be considered highly favorable.

Significant energy efficiency incentives have been made available to Nantucket in the past. Proposers are encouraged to reach out to Lauren Sinatra, Energy Coordinator for the Town (lsinatra@nantucket-ma.gov), to learn about current programs they may want to consider incorporating.

The Town of Nantucket, as a designated Green Community, adopted the Stretch Energy Code effective September 1, 2019 (Code of the Town of Nantucket, General Bylaws, Chapter [141](#)). The Stretch Code is

an “above code” appendix to the Massachusetts Building Code, designed to result in cost-effective construction that is more energy-efficient than what is built under the “base” code.

To view Massachusetts’ Building Energy Codes, including the latest updates to the Stretch Code see Attachment J.

5. Coastal Resiliency:

The Town is seeking proposals that include building and site design that are mindful of Nantucket’s “Coastal Resilience Plan” (Attachment K) and limit the project’s environmental impact, particularly addressing issues of flood control, storm surge damages, rising sea levels, and eroding coastlines. Proposers are encouraged to contact Vincent Murphy, Sustainability Programs Manager for the Town (vmurphy@nantucket-ma.gov) to learn more.

6. Site:

The site’s locus is shown on the Map included in Attachment A. It can be described as a generally level location. This site has Town water and sewer in close proximity. The site is near designated public transportation stops and is walking distance to markets, restaurants and other small businesses.

The subject parcel is located in the Town’s Commercial Neighborhood (“CN”) District, which requires ten-foot (10’) wide Front Setback, and five-foot (5’) wide Side and ten-foot (10’) wide Rear Setback.

As it is a corner lot, the front setback is only required to be taken off of one street. There already exists a ten-foot (10’) wide Utility and Slope Easement along Amelia Drive and a twelve-foot (12’) wide Driveway Easement on the northerly property line. It is recommended that a proposer take the “Front Setback” on Amelia Drive. The area highlighted in yellow on the Map included in Attachment A reflects these setbacks.

The boundaries of the lot highlighted in green on the Map included in Attachment A show a total lot area of 7,756 ± square feet.

The Zoning District allows forty percent (40%) ground coverage, therefore there is 3,102 ± square feet available for the building footprint(s).

A copy of Nantucket Zoning Bylaws is attached (see Attachment F).

Utilities:

- Water *Public*
- Wastewater *Public*
- Electric *National Grid*
- Cable *Comcast*

The project is required to meet all lighting objectives, parking requirements, and other conditions as determined by the Planning Board and other relevant boards and agencies. The project should also include design or landscaping features (such as hedges, dense plantings, fixtures, and fencing) that separate the

development from the abutting parking lot, with the intent to discourage the properties from parking in each other's designated parking areas.

7. Project Permitting:

It is the Town's preference that the project is permitted as a workforce rental community development pursuant to Section 139-8E of the Town's Zoning Bylaws. The Planning Board must grant a special permit and the Historic District Commission must grant a certificate of appropriateness for the project. Any variances for dimensional requirements would be subject to Zoning Board of Appeals review and approval.

8. Acquisition Price:

The Town is offering to lease the Property for a long-term lease of up to ninety-nine (99) years to the successful proposer, for an initial payment detailed below and at a nominal annual rent of \$1.00/year for the term of the lease; with terms of the lease to ensure the development conforms to the proposal and to ensure the income-restricted housing remains affordable for the term of the lease. In addition, funds may be available for pre-development costs upon application by the proposer and approval from the Community Preservation Committee ("CPC") or the Town of Nantucket Affordable Housing Trust Fund ("AHTF"). It is the successful proposer's responsibility to file all necessary applications with the appropriate agencies in a timely fashion.

9. Initial Lease Payment and General Partnership Interest:

The Town will require an initial lease payment in the amount of \$10,000 to cover all Town costs incidental to the disposition of this site. Thereafter, the current lease payments shall be for nominal consideration, as described above. The (Town/Trust?) retains the right to assign its ownership of the land to a community land trust or similar organization whose housing mission aligns with the Town's interests, which shall be subject to the terms of the ground lease.

PROPERTY DESCRIPTION

The subject Property is shown on the locus Map contained in Attachment A as a portion of Lot 23.

The site is relatively flat, moderately covered by brush. It is bordered by residential, small commercial and municipal neighbors. Primary access to the site is via the newly created road bordering the site which connects Amelia Drive and Waitt Drive, depicted on the Maps contained in Attachment A.

2.3. PROPOSAL SUBMISSION REQUIREMENTS

The Developer and Development Team:

The proposal must include a description of the proposed developer, including the project manager, and his/her experience. Proposals must include:

- The name, mailing address, e-mail address, and telephone number of the proposer, the name of the representative authorized to act on his/her behalf, the name and contact information of the contact to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.
- If the proposer is not an individual doing business under his/her own name, a description of the firm and status of the organization (e.g. whether a for profit, not-for-profit or charitable institution) and a description of the proposed ownership entity (e.g., a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture) and the jurisdictions in which it is registered to do business. If the proposer is a non- profit, please include a list of the organization's Board of Directors and areas of expertise they represent.
- The nature of the entity to enter into the long-term lease of the Property and the borrower and guarantors of debt, if any.
- Identification of all principals, partners, co-ventures, or sub-developers participating in the transaction, and the nature and share of participants' ownership in the project.
- Discussion of whether the developer will also be the property manager and if the developer will not be the property manager, the name of the proposed property management organization.
- Identification of the development team, such as architects, engineers, lawyers, landscape designers, contractor, development consultants, lenders, and investors. Background information, including firm resumes and resumes for principals and employees expected to be assigned to the project, shall be provided.
- A summary of first, the developer's and secondly, the development team's experience individually and collectively, with similar projects. Particular attention should be given to demonstrate experience with projects of a similar scale and complexity of site conditions, design and financing, as well as locations similar to Nantucket. Proposer should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out design, permitting, conventional and subsidy financing, construction, marketing/unit absorption and ongoing property management.

The following order should be used when submitting the information for each project identified:

1. Project name and location
2. Project type and description
3. Project scope
4. Project(ed) start date
5. Project(ed) completion date
6. Total development costs

7. Sources of financing
8. Total number of units and bedroom sizes
9. Narrative on why your experience is relevant to the 7 Amelia Drive Nantucket Housing projects.
10. Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the Town and the development team during all phases of the project.
11. Information regarding any legal or administrative actions past (during the last 10 years), pending or threatened that could relate to the conduct of the proposer, its principals or any affiliates.
12. Confirmation that no local, state or federal taxes are due and outstanding for the development team, the property management team or any critical member of the project.
13. Provision of municipal references for at least three (3) completed projects, with contact names, title and current telephone numbers of those who can provide information to the Town concerning the Proposer's experience with similar projects.
14. Proposed project financing, including a Sources and Uses pro forma providing information similar to that required in the Massachusetts One Stop application (see Attachment G), which shall include (a) a proposed pre-development budget, including all projected sources to be used to secure the necessary permits and approvals for the construction and operation of the development; (b) a construction and development budget which includes detailed sources of funds and uses; and (c) 20 year operating pro forma and rent schedule. Describe in detail previous success in securing such funding and what, if any local, state or federal subsidy money will be sought to create affordability and the timeline for securing those sources.
15. At least one (1) letter of interest from a recognized financial institution for a loan amount sufficient for the developer to construct and operate the project.
16. Completion of disclosures and certificates in Attachments M – "Certificate of Non-Collusion", N – "Tax Compliance Certificate", and O – "Disclosure of Beneficial Interest."

Development Concept:

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

- Number and size of units (square footage and number of bedrooms) and affordability levels. Include narrative as to why/how the mix of bedroom sizes and affordability was determined to ensure project financial feasibility and appropriateness for the marketplace.
- Preliminary site design as detailed in the Conceptual Design Drawings below.
- Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings/ "green" elements of the building and site designs.

- Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors, in particular noise and traffic during the construction period.
- Detailed development schedule for all elements of the plan including key milestones, financing and timeframes for occupancy, including EOHLC approval process.
- Outline of required land use, environmental, operational and other governmental or regulatory approvals for the necessary permits and noting any permits or waivers that will be required.

Conceptual Design Drawings:

The proposal must include 11 x 17 plans including:

- Site plan that includes building footprints, parking layout, storm drainage, recreation, and numbers of parking spaces
- Landscape plan with sufficient detail on how the plan addresses limiting the project impact on surrounding areas
- Floor plans
- Elevations (exterior building materials should be identified on elevations)
- Typical unit plans
- Dry and temperature-controlled basement storage for all units (minimum requirement of 8' X 10' per unit), relative to unit size.

Management Plan:

The proposal must include:

- Description of the proposed rents and the strategy for marketing and lottery processes that will be consistent with EOHLC's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines.
- The proposal must include a plan for the ongoing management of the project. In addition, if the proposer is including a property manager as part of its team, all relevant information as outlined under 'Developer' above should be included as well as details of any projects where the proposer and manager have previously worked together.
- Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, a lottery shall be conducted for all of the affordable units. To the extent permitted by law, the initial lottery shall give local preference as described in Section IV, "Affordability" above. Proposals may include a lottery agent as part of the development team. An approved affirmative fair housing marketing/lottery plan shall be required that is consistent with EOHLC's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines. For the proposal, the proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.

At a minimum the selected proposer and/or their agent shall demonstrate:

- A clear understanding of fair housing requirements/laws.
- A clear understanding of local preference opportunities and requirements, and how the lottery will address these.
- A clear understanding of the applicable state standards used to determine program and unit eligibility – i.e. qualified tenants.
- The ability to establish criteria for tenant selection and a fair and unbiased selection process.
- The ability to maintain all necessary reports and certifications required under state and federal law.

2.4. EVALUATION CRITERIA

Minimum Threshold Criteria:

Proposals that do not clearly and fully comply with these Minimum Threshold Criteria and are not submitted in complete form by **2:00 pm on Tuesday, September 3, 2024** will not be considered:

- a. Compliance with all submission requirements is mandatory.
- b. Principal members of the development team must have a minimum of five (5) years of experience in affordable housing development.
- c. The property manager should have at least five (5) years of property management experience.
- d. A proven track record of successfully developing and managing similar projects is required.
- e. The developer must be ready to start the permitting and application processes within 90 days of selection and have adequate staff resources to provide the necessary services.
- f. All required forms must be submitted, including:
 - i. Attachment M – Certificate of Non-Collusion;
 - ii. Attachment N – Tax Compliance;
 - iii. Attachment O – Disclosure Statement for Transactions with a Public Agency Concerning Real Property, M.G.L. c. 7C, § 38;
 - iv. Attachment P – Acknowledgement of Receipt of Documents.
- g. The proposed development must provide a proposed affordability mix that will allow all units to be eligible for inclusion in the Town's Subsidized Housing Inventory based upon EOHLC's requirements; and one hundred percent (100%) of the units as affordable at or below one hundred percent (100%) of the AMI.

Comparative Evaluation Criteria:

Projects meeting the Minimum Threshold Criteria will then be judged on the Comparative Evaluation Criteria (see Attachment E). The Town will use the comparative criteria for each subject, and which will be rated on a scale of Unacceptable (U), Not Advantageous (NA), Advantageous (A) or Highly Advantageous (HA) for each listed subject as set forth on the Comparative Evaluation Criteria.

2.5. SELECTION PROCESS AND RULES FOR AWARD

All proposals submitted by the deadline will be opened pursuant to M.G.L. c. 30B, 6(d) and recorded. All information contained in the proposals is public. The Town or its designee(s) (i.e., an evaluation committee) will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined in the "Comparative Evaluation Criteria." Evaluation of the proposals will be based on the information provided in the proposer's submission in accordance with the submission requirements of this RFP and any references, and additional information requested and/or gathered by the Town. The most highly advantageous proposal from the proposer deemed most responsive and responsible, taking into consideration all evaluation criteria set forth in the RFP, will be selected by the Town or its designees. **The Town reserves the right to select the proposal that best meets the needs of the community and that may not be the proposal that achieves the highest score. The Town reserves the right to not make any award if it determines in its sole discretion that it is in the best interest of the Town.**

The Town will notify in writing all Registered Proposers of its decision.

2.6. POST SELECTION

Development Agreement:

It is the intent of the Town to enter into a development agreement with the selected proposer within ninety (90) days of selection and a long-term lease of the land with terms to ensure the development conforms to the proposal, and restrictions to require the housing remain affordable for the term of the lease, after certain benchmarks have been met. A draft Development Agreement can be found at Attachment I.

Chapter 30B Real Property Dispositions to Promote Public Purpose Requirements:

The name of the selected proposer and the amount of the transaction will be submitted for publication in the state's *Central Register*.

The Town has determined that the public purpose of the project is best met by disposing of the property for less than fair market value; the Town will post a notice in the state's *Central Register* explaining the reasons for this decision and disclosing the difference between the property value and the price to be received. This notice will be published before the Town enters into any agreement with the developer.

2.7. ATTACHMENTS

- A. Maps of the Property and surroundings
- B. Quitclaim Deeds
- C. Easement
- D. 2021 Housing Production Plan
- E. Draft Form of Ground Lease
- F. Draft Form of Land Development Agreement
- G. Building With Nantucket in Mind
- H. Comparative Evaluation Criteria

- I. Nantucket Zoning Bylaws
- J. Massachusetts' Building Energy codes
- K. Nantucket's Coastal Resilience Plan
- L. Sections 3 and 4 of Massachusetts One Stop Application

Required Documents:

- M. Certificate of Non-Collusion
- N. Tax Compliance Certificate
- O. Disclosure Statement for Transaction with a Public Agency Concerning Real Property
- P. Acknowledgement of Receipt Documents

2.8. Quality of Work

A. Reporting

Throughout the study the winning Proposer will closely work with the Housing and will be expected to provide regular updates a specified time. The Proposer will spend considerable time explaining the methodology, the analysis and the draft to the Town before being presented. The final product will be presented by the Proposer to the Board of Selectman in a public meeting.

B. Analysis

A completed report will include an executive summary, methodology, data analysis, source materials, critical observations of current, and final recommendations.

C. Project Completion

The consultant must be ready to commence the project within 60 days of the contract award and must complete the project with 36 months of the project commencement.

2.9. Project Schedule

Anticipating 36 months of time will be required to complete the above Scope of Work and to obtain the required approvals from the various local, state, and federal regulatory agencies.

3. General Information and Submission Requirements

The Town of Nantucket invites qualified responders to submit proposals for Request for Proposals for Affordable Housing Development - 7 Amelia Drive. This contract begins September 1, 2024 and expires August 31, 2027.

3.1. GENERAL INFORMATION AND SUBMISSION REQUIREMENTS

- A. Requests for Proposals can be obtained from and will be accepted at the Town of Nantucket's e-Procurement Portal <https://procurement.opengov.com/portal/nantucket> beginning Monday, July 22, 2024, and proposals will be accepted until **2:00 pm on Tuesday, September 3, 2024** and must be electronically submitted via the Town's e-Procurement Portal. *Proposers must register on the Town's e-Procurement Portal and click "Follow" on the bid postings page in order to ensure receipt of any changes or addenda to the IFB.*
- B. Price and non-price (technical) proposals must each be submitted via the e-Procurement Portal at <https://procurement.opengov.com/portal/nantucket>
- C. Failure to comply strictly with these requirements may result in the rejection of a proposal.
- D. Proposals shall not be opened publicly but will be opened in the presence of one or more witnesses. At the opening of the proposals the Chief Procurement Officer or their Designee shall prepare a register of proposals which shall include the name of each offeror and the number of modifications, if any, received. The register of proposals shall be open for public inspection. Proposals will not be available to the public until after the evaluation of proposals is complete.
- E. Award date. Award will be made within NO VALUE after proposal opening unless otherwise stated in the specifications or the time for award is extended by mutual consent of all parties. All submittals shall be valid for a minimum period of sixty (60) calendar days following the date established for acceptance. The Town shall award a contract, if at all, to the responsible offeror whose proposal is responsive and the most advantageous taking into consideration price and the evaluation criteria set forth in this Request for Proposals.
- F. If any changes are made to this RFP, an addendum will be issued. Addenda notification will be emailed to all companies and individuals who are following the RFP posting by clicking on "Follow" on the *bid postings page*. Each responder shall acknowledge receipt of any and all addendum issues via the Town's e-Procurement portal. Failure to do so may cause rejection of the submittal as being unresponsive.
- G. Questions concerning this RFP must be submitted via the Question & Answer feature of the Town's e-Procurement portal **before 2:00 pm on Monday, August 19, 2024**. Written responses will be posted on the Town's e- Procurement Portal in the form of Addenda if necessary and an automatic email will sent to all bidders who are following the RFP.
- H. Attempts made by proposers to contact Town employees directly with questions subject the proposer to disqualification. It is the sole responsibility of the proposer to ascertain the existence of any addenda and/or modifications issued by the Town. As this RFP has been published on the Town's e-Procurement Portal all proposers are responsible for

checking the website for any addenda and/or modifications that are subsequently made to this RFP.

- I. Responses may be modified, corrected or withdrawn by the proposers via Town's e-Procurement Portal before **Tuesday, September 3, 2024, at 2:00 pm.**
- J. An offeror may correct, modify, or withdraw a proposal by written notice received in the office designated above prior to the time and date set for the receipt of all proposals. After such time and date, an offeror may not change the price or any other provision of the proposal in a manner prejudicial to the interests of the Town or fair competition. The procurement officer shall waive minor informalities or allow the offeror to correct them. If a mistake and the intended bid are clearly evident on the face of the proposal document, the procurement officer shall correct the mistake to reflect the intended correct offer and so notify the offeror in writing, and the offeror may not withdraw the proposal. An offeror may withdraw a proposal if a mistake is clearly evident on the face of the proposal document, but the intended correct offer is not similarly evident.
- K. Negligence on the part of the responder in preparing the proposal confers no rights for the withdrawal of the proposal after it has been opened.
- L. The Town of Nantucket reserves the right to reject any and all responses and to waive any minor informality in responses received whenever such rejection or waiver is in its best interest and to the extent doing so is permitted by law in accordance with section 6 of Chapter 30B of the General Laws.
- M. The Town of Nantucket will not be responsible for any expenses incurred in preparing and submitting responses. All submittals shall become the property of the Town of Nantucket. All plans, specifications and other documents resulting from this contract shall become the property of the Town of Nantucket. All proposals shall be deemed a public record.
- N. Responders must be willing to enter into the Town of Nantucket's standard form of contract.
- O. The RFP, and any subsequent contract for the services, is hereby issued in accordance with M.G. L. c. 30B.
- P. Sealed proposals received prior to the date of opening will be kept unopened. No responsibility will attach to an officer or person for the premature opening of a proposal not properly addressed, sealed and/or identified.
- Q. Any proposals received after the advertised date and time for opening will be returned to the responder unopened.

- R. Purchases by the Town of Nantucket are exempt from federal, state and municipal sales and/or excise taxes.
- S. The Tax Compliance Certification and the Certificate of Non-Collusion, must be completed, signed, and enclosed with the non-price proposal. These forms must be signed by the authorized individual(s).
- T. Unexpected closures. If, at the time of the scheduled response opening, Town Hall is closed due to uncontrolled events such as fire, snow, ice, wind or building evacuation, the response opening will be postponed until 3:00 PM on the next normal business day. Proposals will be accepted until that date and time.
- U. The Town of Nantucket is an Affirmative Action/Equal Opportunity Employer. The Town encourages submittals from qualified MBE/DBE/WBE firms.
- V. Responses to the RFP must be prepared according to the guidelines set forth herein. Selection of the successful responder will be based upon an evaluation and analysis of the information and materials required under the RFP, and in accordance with section 6 of Chapter 30B of the General Laws.
- W. **All responders should be aware that the Town is no longer accepting responses by mail. All responses must be submitted electronically.**

4. Proposal Submission

PROPOSAL SUBMISSIONS

4.1. Site Tour and Briefing

Interested proposers are strongly encouraged to attend an on-site briefing session on _____, **2024 from _____ to _____** at the Nantucket Public Safety Facility, 4 Fairgrounds Road, Nantucket, MA 02554. Registration to attend the briefing is required no later than _____ on _____, **2024**. To register, or for additional information related to the site visit, please send an e-mail to procurement@nantucket-ma.gov.

The site tour and briefing will be an opportunity in a group setting for questions about this project to be asked and answered. **The Trust** will send summary minutes of the Meeting to all those registered; however, **the Trust** is not responsible for making sure all aspects of the meeting and group discussion are relayed to anyone not in attendance at this Site Tour.

Following the Site Tour, **the Trust** reserves the right to amend the RFP criteria.

4.2. The Developer and Development Team

The proposal must include a description of the proposed developer, including the project manager, and their experience. Proposals must include:

The name, mailing address, e-mail address, and telephone number of the proposer, the name of the representative authorized to act on their behalf, the name and contact information of the contact to which

all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.

If the proposer is not an individual doing business under their own name, a description of the firm and status of the organization (e.g. whether a for profit, not-for-profit or charitable institution) and a description of the proposed ownership entity (e.g., a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture) and the jurisdictions in which it is registered to do business. If the proposer is a non-profit, please include a list of the organization's Board of Directors and areas of expertise they represent.

The nature of the entity to enter into the long-term lease of the Property and the borrower and guarantors of debt, if any.

Identification of all principals, partners, co-ventures or sub-developers participating in the transaction, and the nature and share of participants' ownership in the project.

Discussion of whether the developer will also be the property manager and if the developer will not be the property manager, the name of the proposed property management organization.

Identification of the development team, such as architects, engineers, lawyers, landscape designers, contractor, development consultants, lenders, and investors. Background information, including firm resumes and resumes for principals and employees expected to be assigned to the project, shall be provided.

A summary of first, the developer's and secondly, the development team's experience individually and collectively, with similar projects. Particular attention should be given to demonstrate experience with projects of a similar scale and complexity of site conditions, design and financing, as well as locations similar to Nantucket. Proposer should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out design, permitting, conventional and subsidy financing, construction, marketing/unit absorption and ongoing property management.

The following order should be used when submitting the information for each project identified:

- A. Project name and location
- B. Project type and description
- C. Project scope
- D. Project(ed) start date.
- E. Project(ed) completion date
- F. Total development costs
- G. Sources of financing
- H. Total number of units and bedroom sizes
- I. Narrative on why your experience is relevant to the 7 Amelia Drive Nantucket Housing project.

- J. Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the Town and the development team during all phases of the project.
- K. Information regarding any legal or administrative actions past (during the last 10 years), pending or threatened that could relate to the conduct of the proposer, its principals or any affiliates.
- L. Confirmation that no local, state or federal taxes are due and outstanding for the development team, the property management team or any critical member of the project.
- M. Provision of municipal references for at least three (3) completed projects, with contact names, title and current telephone numbers of those who can provide information to the Town concerning the Proposer's experience with similar projects.
- N. Proposed project financing, including a Sources and Uses pro forma providing information similar to that required in the Massachusetts One Stop application (see Attachment L), which shall include (a) a proposed pre-development budget, including all projected sources to be used to secure the necessary permits and approvals for the construction and operation of the development; (b) a construction and development budget which includes detailed sources of funds and uses; and (c) 20 year operating pro forma and rent schedule. Describe in detail previous success in securing such funding and what, if any local, state or federal subsidy money will be sought to create affordability and the timeline for securing those sources.
- O. At least one (1) letter of interest from a recognized financial institution for a loan amount sufficient for the developer to construct and operate the project.
- P. Completion of disclosures and certificates in Attachments ____ – "Certificate of Non- Collusion", ____ – "Tax Compliance Certificate", and ____ – "Disclosure of Beneficial Interest."

4.3. Development Concept

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

- Number and size of units (square footage and number of bedrooms) and affordability levels. Include narrative as to why/how the mix of bedroom sizes and affordability was determined to ensure project financial feasibility and appropriateness for the marketplace.
- Preliminary site design as detailed in the Conceptual Design Drawings below.
- Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings/ "green" elements of the building and site designs.

- Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors, in particular noise and traffic during the construction period.
- Detailed development schedule for all elements of the plan including key milestones, financing and timeframes for occupancy, including EOHLC approval process.
- Outline of required land use, environmental, operational and other governmental or regulatory approvals for the necessary permits and noting any permits or waivers that will be required.

Conceptual Design Drawings:

The proposal must include 11 x 17 plans including:

- Site plan that includes building footprints, parking layout, storm drainage, recreation, and numbers of parking spaces
- Landscape plan with sufficient detail on how the plan addresses limiting the project impact on surrounding areas
- Floor plans
- Elevations (exterior building materials should be identified on elevations)
- Typical unit plans
- Dry and temperature-controlled basement storage for all units relative to unit size.

Management Plan:

The proposal must include:

- Description of the proposed rents and the strategy for marketing and lottery processes that will be consistent with EOHLC's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines.
- The proposal must include a plan for the ongoing management of the project. In addition, if the proposer is including a property manager as part of its team, all relevant information as outlined under 'Developer' above should be included as well as details of any projects where the proposer and manager have previously worked together.
- Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, a lottery shall be conducted for all of the affordable units. To the extent permitted by law, the initial lottery shall give local preference as described in Section IV, "Affordability" above. Proposals may include a lottery agent as part of the development team. An approved affirmative fair housing marketing/lottery plan shall be required that is consistent with EOHLC's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines. For the proposal, the proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.

At a minimum the selected proposer and/or their agent shall demonstrate:

- A clear understanding of fair housing requirements/laws.
- A clear understanding of local preference opportunities and requirements, and how the lottery will address these.
- A clear understanding of the applicable state standards used to determine program and unit eligibility – i.e. qualified tenants.
- The ability to establish criteria for tenant selection and a fair and unbiased selection process.
- The ability to maintain all necessary reports and certifications required under state and federal law.

4.4. Technical (Non-Price) Proposal

- A. Proposer must include a non-price proposal or business plan that clearly addresses the provisions of this RFP.
- B. Proposer must include proof of financial stability in the Technical Proposal. This shall be in the form of a bank reference or audited financial statements of the business entity.
- C. References are to be included with the Technical Proposal. Please include a list of all clients for whom you have provided a similar service during the past three (3) years. Please include a contact name, company name, address, and telephone number. The Town expects to check references. One or more poor references may be a basis for determining that a proposer is not responsible and result in a rejection of the proposal. Reference questions will include but may not be limited to service quality and general customer satisfaction.

4.5. Price Proposal

Please provide separate price proposal(s) as a lump sum amount. Offerors must use the price proposal table contained within this RFP.

5. Comparative Qualification Criteria

5.1. Minimum Quality Criteria

No.	Evaluation Criteria	Scoring Method	Weight (Points)
1.	7 AMELIA DRIVE PROPOSAL Ability of the organization to complete this project on time (personnel abilities, size, resources)	N/A	N/A

2.	Experience Experience with municipalities comparable to Nantucket or larger	N/A	N/A
3.	Proof of Business Provide proof that the business or members of the business, as currently constituted, has been regularly and actively engaged on a full-time basis in the type of work described in the section of this RFP entitled “SCOPE OF WORK” for a minimum of the past five (5) years. Such proof must include contact information for all owners for whom the offeror has performed services over the past five (5) years.	N/A	N/A

5.2. Comparative Qualification Criteria

No.	Evaluation Criteria	Scoring Method	Weight (Points)
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1.	DEVELOPER EXPERIENCE & CAPACITY (TEAM) • Demonstrated experience in and capability for designing, permitting, developing and managing similar residential projects. • Outcome of comparable projects • Demonstrated experience securing financing for similar projects • Experience developing energy efficient homes • Property management experience with similar projects • The quality of the team's reputation and references, particularly in terms of its regulatory track record and ability to complete projects as proposed • Success in marketing approach, including affirmative fair housing marketing plans and lottery, meeting State requirements • Successful long-term management approach • Nonprofit Developer o Highly Advantageous: 1. Development team members have significant and substantial successful development of affordable housing project of similar scope (i.e., 8 or more years), including significant legal, design, financing, affordable housing management and development experience. 2. Energy efficient design is their standard approach to design and development. 3. Is a nonprofit developer. o Advantageous: 1. Development team members have had significant experience in the development of projects of similar scope (i.e., 5-7 years), including significant legal, design, financing, affordable housing management, and development experience. 2. Energy efficient buildings part of standard development approach. 3. Developer may be a nonprofit developer.	N/A	N/A
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	o Not advantageous: Development team members have had only minimal experience in the development of projects with similar scope (i.e., less than 5 years), including legal, design, development, financing, and management experience with rental housing; developer is a for-profit developer. o Unacceptable: The Bidder did not address the criterion		
2.	AFFORDABILITY • Proposal meets the greatest level of affordability fiscally possible. • Proposal meets requirements to have all units qualify on the SHI list • Addresses the Town's desire to work to provide at least 25% affordable units and 10% of market units allocated to municipal employee use, if approved by EOHLC. o Highly Advantageous: The proposal meets the requirements of the Town's Zoning Bylaws and contains 100% of the units affordable to households at 100% AMI or less and the proposal complies with EOHLC Guidelines and addresses the desire for Local Preference. o Advantageous: The proposal meets the requirements of the Town's Zoning Bylaws and contains 100% of the units affordable to households at 100% AMI or less and the proposal complies with EOHLC Guidelines but does not address the desire for Local Preference. o Not advantageous: The proposal does not meet the requirements of the Town's Zoning Bylaws and contains less than 100% of the units affordable to households at 100% AMI or less. o Unacceptable: The Bidder did not address the criterion	N/A	N/A

3.	NUMBER OF UNITS AND PERMITTING - No more than 3 housing units will be constructed on the property. - Housing will be constructed pursuant to Nantucket Zoning Bylaws. o Highly Advantageous: Proposal is for 3 units permitted by Nantucket Zoning Bylaws. o Advantageous: Proposal is for 2 units permitted by Nantucket Zoning Bylaws. o Not advantageous: Proposal is for 1 unit and does not clearly address the permitting for the project. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
4.	PROPOSED COMMERCIAL USAGE Commercial tenant includes a nonprofit commercial tenant. o Highly Advantageous: Proposal includes commercial space entirely in use by nonprofit commercial tenant(s). o Advantageous: Proposal includes commercial space partially in use by nonprofit commercial tenant(s). o Not advantageous: Proposal does not consider a nonprofit commercial tenant for any portion of the commercial space. o Unacceptable: The Bidder did not address the criterion	N/A	N/A

5.	SITE DESIGN • Thoughtful and efficient site design, minimizing impervious surfaces • Uses standards of low impact development • Underground utilities • Exterior lighting – minimal impact to neighbors • Storm water management • Landscape plan including parking area • Plan includes interior storage • Area designated for snow • Adequate screened visitor parking • Central trash and recycling area, appropriately screened o Highly Advantageous: Proposal meets all “advantageous” requirements and respects adjacent properties, provides heightened attention to landscaping plan, parking, storage, screening, and lighting. o Advantageous: The proposal meets or exceeds all design requirements of the RFP with thoughtful traffic flow, buildings siting, minimal impact of exterior lighting, and development design. o Not advantageous: Proposal fails to include or address all site design criteria. o Unacceptable: The Bidder did not address the criterion.	N/A	N/A
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6.	SUSTAINABILITY • Energy efficient design • Elevation level with coastal resiliency in mind o Highly Advantageous: Proposal incorporates required stretch energy code, and exceeds sustainability and energy efficiency goals, including a net zero energy efficiency. Proposal goes above and beyond to incorporate flood mitigation and additional Coastal Resilience Plan strategies. o Advantageous: Proposal incorporates required energy- efficient design as outlined by the Stretch Code. Proposal incorporates the Coastal Reliance Plan and addresses flood control. o Not advantageous: Proposal does not include energy-efficient design. Proposal does not incorporate any elements of coastal resilience and flood control. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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7.	BUILDING DESIGN - Exterior design and materials are of high quality, while remaining compatible with local historical design, including the use of historic colors. - Creative design that is cost effective and high quality. - Interior layouts meet a variety of family-type needs. - Finishes support durability and low-maintenance for tenant or owner. - Adequate tenant dry, temperature-controlled storage. - Inclusion of an ADA compliant unit. o Highly Advantageous: Proposal articulates a compelling development vision that is cost-effective and has an attractive design and efficient use of interior space, reflects local historical design and includes an ADA compliant unit. o Advantageous: Proposal creates a development that reflects local historical design and efficient interior layouts, creating a desirable neighborhood and may include an ADA compliant unit. o Not advantageous: Design appears incongruous with local historical design patterns, interior lay-outs not effective use of space and does not include an ADA compliant unit. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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8.	FINANCIAL FEASIBILITY • Adequacy of proposed budgets (development and operating) • Appropriateness of rents in relation to market • Track record of securing proposed conventional and subsidy financing o Highly Advantageous: Proposal contains realistic development and operating budgets and evidence of a high degree of success in securing necessary financing and other sources of funding. o Advantageous: Proposal contains realistic development and operating budgets and evidence of success in securing necessary financing. o Not advantageous: Proposal does not demonstrate an understanding of development costs and operating budgets for affordable housing. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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9.	REFERENCES AND SITE VISITS - References – a minimum of three municipal references, include references from all projects undertaken in the last 10 years. - Site visits – the selection committee may choose to visit proposers' completed projects. o Highly Advantageous: 1. Strong references reflecting timely completion, excellent budget control, property management structure excellence and high degree of professionalism of developer. 2. Properties visited were in excellent condition, site layout and landscaping excellent, excellent building design and use of energy efficient and durable materials. Written evidence of broad residents' support of the project including testimonials. o Advantageous: 1. Strong references reflecting projects came in on time and within budget, good property management structure. 2. Properties visited were in good condition, site layout was efficient, buildings were well designed, and residents were overall satisfied and there is no evidence of systemic issues. o Not advantageous: 1. Minimum of 3 references not met, or references were poor and/or inadequate. 2. Properties visited were in poor condition. Evidence of widespread resident dissatisfaction. o Unacceptable: The Bidder did not address the criterion	N/A	N/A
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5.3. Phase 3

No.	Evaluation Criteria	Scoring Method	Weight (Points)
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1.	PRESENTATION	Pass / Fail	1 (100% of Total)
	• PowerPoint presentation highlighting plans for development of the parcel. • Presenters include financier who can speak as to the proposed financing. • Addresses any questions or concerns from Phase 2 of the evaluation process. o Highly Advantageous: 1. Presentation is clear and well prepared. Proposer highlights the plans for development of the parcel with a breakdown of the proposal. 2. Financer clearly understands the Town's position with the development of the parcel and provides strong responses to financial questions. 3. Proposer offers responses and solutions to questions and concerns addressed by the evaluation committee during Phase 2 of the evaluation. o Advantageous: 1. Presentation is clear, and the basic information is provided. Proposer highlights the plans for development of the parcel, but the breakdown lacks detail. 2. Financer provides responses to financial questions. Further discussion is needed to understand the Town's position with the development of the parcel. 3. Proposer offers responses and solutions to some of the questions and concerns addressed by the evaluation committee during Phase 2 of the evaluation. o Not advantageous: 1. Presentation lacks preparation and fails to highlight the plans and breakdown of the development. 2. Financer is not present and financing unable to be addressed in presentation. 3. Questions and concerns from Phase 2 of the evaluation process are not addressed. o Unacceptable: The Bidder did not address the criterion		

6. Vendor Questionnaire

MINIMUM QUALIFICATION CRITERIA FORM

Form should be filled out in its entirety by respondent. If additional space is required, supplemental pages can be attached. Project name and reference information must be consolidated in the form.

The Contractor and pertinent subcontractors must meet each of the following qualifications to be eligible to perform this work for the Town.

6.1. Ability of the organization to complete this project on time (personnel abilities, size, resources)*

- ☐ Yes
☐ No

*Response required

6.2. Plan to complete project on schedule (timeline, time on island, methodology, etc.)*

- ☐ Yes
☐ No

*Response required

6.3. Experience with Municipalities comparable to Nantucket or larger*

- ☐ Yes
☐ No

*Response required

6.4. Proof of Work Experience*

Provide proof that the business or members of the business, as currently constituted, has been regularly and actively engaged on a full-time basis in the type of work described in the section of this RFP entitled "SCOPE OF WORK" for a minimum of the past five (5) years. Such proof must include contact information for all owners for whom the offeror has performed services over the past five (5) years.

- ☐ Yes
☐ No

*Response required

6.5. Technical Proposal *

Please upload the complete Technical Proposal for this project as described in the Section "Proposal Submission" and "Proposal Evaluation Criteria - Minimum Quality Requirements"

DO NOT INCLUDE ANY PRICING INFORMATION. Please complete the "Price Proposal" section of the RFP

*Response required

6.6. Price Proposal*

*Response required

6.7. 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 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.

☐ Please confirm

*Response required

6.8. Tax Compliance Certification *

Pursuant to M.G.L. 62C, §49A, I certify under the penalties of perjury that I am authorized to represent and sign agreements for _____, which is in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

☐ Please confirm

*Response required

6.9. Tax Compliance and Non-Collusion Form *

Please download the below documents, complete, and upload.

- [Tax Compliance Certificatio...](#)

*Response required

6.10. List of References*

Provide here specific project names, each of which identifies a project whose references and description are provided in the "Relevant Experience and Similar Projects" section of the proposal:

Please download the below documents, complete, and upload.

- [REFERENCE_LIST.docx](#)

*Response required

6.11. Evidence of Financial Stability *

*Response required

6.12. Proof of Insurance *

Insurance Required: Responders shall obtain and maintain at its expense and from insurance companies of a Best Rating of A or better, which are licensed to do business in the Commonwealth of Massachusetts, insurance as set forth below.

Please upload your proof of insurance.

*Response required

6.13. Certificate of Authority *

*Response required

6.14. W9 Form Request

Please upload a completed W-9 Form if you have not worked with the Town of Nantucket in the past. The W-9 will be used to set up the Contractor as a Vendor for the Town of Nantucket.

7. Insurance and Indemnification

7.1. Insurance

Worker's Compensation: Worker's Compensation insurance in accordance with Massachusetts General Laws Chapter 152, as amended.

Liability: Comprehensive General Liability insurance including products liability for a combined single amount of \$2,000,000. This policy must have as one of its terms a provision that the Town and County of Nantucket and its Town of Nantucket are additional insured parties. A copy of this policy showing the Town as an additional insured is to be provided to the Town of Nantucket annually on or before March 1. Such policy must also contain a provision that the Town of Nantucket will be provided with ten (10) days written notice by the insurer of any intent to cancel or a determination that such insurance will not be renewed.

Automobile Liability: Insurance of not less than \$1 million combined single limit covering owned, hired and non-hired vehicle use.

7.2. Indemnification

Indemnification: The CONTRACTOR agrees at all times during the term of this contract to indemnify, hold and save harmless, the Town of Nantucket and the Town of Nantucket and its officials, employees and agents from and against any and all action or causes of actions, claims, demands, liabilities, losses, damages or expense of whatsoever kind and nature including all legal costs arising out of or in connection with the operation and rental by CONTRACTOR of the premises or its performance or failure to perform or any provision of this contract.

Waiver of Rights of Recovery: The CONTRACTOR also agrees to waive all rights of recovery it may have against the Town of Nantucket and the Town and County of Nantucket for any loss to property or person for which the CONTRACTOR is insured.

8. Rule for Award

8.1. RULE FOR AWARD

The Town will determine the most advantageous proposal from a responsible and responsive bidder, taking into consideration price and all evaluation criteria set forth in the RFP.

9. Term of Contract

9.1. TERM OF CONTRACT

The contract agreement awarded will be for 3 year(s) ending in August 31, 2027.