

**EXPANDED AGENDA**

**May 3, 2017**

			<b><u>Res. #</u></b>
1:30 p.m.	<b><u>Worksession</u></b>		
	<ul style="list-style-type: none"> <li>Revised Procurement Policy</li> </ul>		
3:30 p.m.	<b><u>Public Hearing – Revision of HOC Administrative Plan</u></b>		
	<ul style="list-style-type: none"> <li>Authorization to Revise HOC’s Administrative Plan to Provide a Preference for Families with Histories of Homelessness</li> </ul>		
4:00 p.m.	<b>I. <u>CONSENT ITEMS</u></b>		
4	A. Approval of Minutes of April 5, 2017		
4:05 p.m.	<b>II. <u>INFORMATION EXCHANGE</u></b>		
23 27	<ul style="list-style-type: none"> <li>A. Report of the Executive Director</li> <li>B. Calendar</li> <li>C. Correspondence and Printed Matter</li> <li>D. Commissioner Exchange</li> <li>E. Resident Advisory Board</li> <li>F. Community Forum</li> <li>G. Status Report</li> </ul>		
4:15 p.m.	<b>III. <u>COMMITTEE REPORTS and RECOMMENDATIONS FOR ACTION</u></b>		
31	<b>A. Development and Finance Committee – <i>Com. Simon, Chair</i></b>		
	1. Approval to Select Construction Management Company for the Development of Elizabeth House III Apartments (“EH III Apartments”) and South County Regional Recreation and Aquatic Center (SCRRAC) Pursuant to Request for Proposals #2056 and Authorization to Negotiate and Execute Contract with Jones Lang LaSalle (JLL)		17-29 <sub>(pg. 40)</sub>
42	2. Approval to Select JDC Construction Company as Construction Manager for the Renovation of Alexander House Apartments and Authorization to Negotiate and Execute Contract		17-30 <sub>(pg. 47)</sub>
50	<b>B. Legislative and Regulatory Committee – <i>Com. Byrd, Chair</i></b>		
	1. Authorization to Revise HOC’s Administrative Plan to Provide a Preference for Families with Histories of Homelessness		17-31 <sub>(pg. 54)</sub>
4:45 p.m.	<b>IV. <u>ITEMS REQUIRING DELIBERATION and/or ACTION</u></b>		
	<b>V. <u>*FUTURE ACTION ITEMS</u></b>		
	<b>VI. <u>INFORMATION EXCHANGE (continued)</u></b>		
	A. Community Forum		
	<b>VII. <u>NEW BUSINESS</u></b>		
	<b>VIII. <u>EXECUTIVE SESSION FINDINGS and/or ACTION</u></b>		
	None		

4:50 p.m.	<b><u>ADJOURN</u></b>		
4:50 p.m. 64	<b><u>Alexander House Development Corporation</u></b> <ul style="list-style-type: none"> <li>Approval to Select JDC Construction Company as Construction Manager for the Renovation of Alexander House Apartments and Authorization to Negotiate and Execute Contract</li> </ul>		17-001 <sub>AH</sub> (pg. 69)
	<b><u>ADJOURN</u></b>		

NOTES:

1. This Agenda is subject to change without notice.
2. Public participation is permitted on Agenda items in the same manner as if the Commission was holding a legislative-type Public Hearing.
3. Times are approximate and may vary depending on length of discussion.
4. \*These items are listed "For Future Action" to give advance notice of coming Agenda topics and not for action at this meeting.
5. Commission briefing materials are available in the Commission offices the Monday prior to a Wednesday meeting.

If you require any aids or services to fully participate in this meeting, please call (240) 627-9425 or email [commissioners@hocmc.org](mailto:commissioners@hocmc.org).

# Consent Items

**HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY**

10400 Detrick Avenue  
Kensington, Maryland 20895  
(240) 627-9425

**Minutes**

April 5, 2017  
17-04

The monthly meeting of the Housing Opportunities Commission of Montgomery County was conducted on Wednesday, April 5, 2017 at 10400 Detrick Avenue, Kensington, Maryland beginning at 4:09 p.m. Those in attendance were:

**Present**

Jackie Simon, Chair  
Christopher Hatcher, Vice Chair  
Richard Y. Nelson, Jr., Chair Pro Tem  
Linda Croom  
Pamela Byrd  
Edgar Rodriguez

**Absent**

Margaret McFarland

**Also Attending**

Stacy Spann, Executive Director  
Kayrine Brown  
Patrick Mattingly  
Ellen Goff  
Jim Atwell  
Ethan Cohen  
Tiffany Jackson  
Arthur Tirsky  
Lynn Hayes  
Darcel Cox  
Susan Smith  
Fred Swan  
Nilou Razeghi  
Saundra Boujai  
James Ellis  
Lorie Seals  
Erica Connors  
Bolajoko Akinboyewa

Nowelle Ghahhari, Acting General Counsel  
Gail Willison  
Shauna Sorrells  
Jennifer Arrington  
Zachary Marks  
Bobbie DaCosta  
Hyunsuk Choi  
Shala Rafiq  
Angela McIntosh-Davis  
Ugonna Ibebuchi  
Bonnie Hodge  
Juan Garcia  
Rita Harris  
Douglas Brooks  
Joan McGuire  
Ian Williams  
Amber Queens

**RAB**

Yvonne Caughman, Vice President

**Guest**

Susan Keran  
Amy Millar, MCGEO  
Jay Wilson, Capreit

**IT Support**

Karlos Taylor  
Irma Rodriguez

**Commission Support**

Patrice Birdsong, Spec. Asst. to Commission

Prior to convening the meeting, Chair Simon welcomed new Commissioner Edgar Rodriguez. The meeting began with the approval of the Consent Calendar. The Consent Calendar was adopted upon a motion by Commissioner Byrd and seconded by Commissioner Croom. Affirmative votes were cast by Commissioners Simon, Hatcher, Nelson, Croom, Byrd, and Rodriguez. Commissioner McFarland was necessarily absent and did not participate in the vote.

**I. CONSENT ITEMS**

- A. Approval of Minutes of March 1, 2017** – The minutes were approved as submitted.
- B. Approval of Executive Session Minutes of March 1, 2017** – The minutes were approved as submitted.
- C. Approval of Special Executive Session Minutes of March 23, 2017** - The minutes were approved as submitted.
- D. Ratification of Action Taken in Executive Session on March 1, 2017: Approval to Acquire Limited Partner Interests in Three Existing Low Income Tax Credit Partnerships and Approval of Related Actions and the Funding of Acquisition Loans to Each Entity**

**RESOLUTION: 17-21A-R**

**RE: Ratification of Approval of Acquisition of Limited Partner Interests in Three Existing Low Income Tax Credit Partnerships and Approval of Related Actions and the Funding of Acquisition Loans to Each Entity**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”), a public body corporate and politic duly created, organized and existing under the laws of the State of Maryland, is authorized pursuant to the Housing Authorities Law, organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland (the “Act”), to carry out and effectuate the purpose of providing affordable housing including providing for the acquisition, construction, rehabilitation and/or

permanent financing or refinancing (or a plan of financing) of rental housing properties which provide a public purpose; and

**WHEREAS**, at an Executive Session duly called and held on March 1, 2017, with a quorum present, the Commission duly adopted Resolution 17-21A which authorized the acquisition of limited partnership interests in three existing Low Income Tax Credit partnerships and approved related actions and the funding for the acquisition loans to each entity; and

**WHEREAS**, consistent with the Commission's Amended and Restated Bylaws, the Commission wishes to ratify and affirm, in an open meeting with a quorum physically present, the action undertaken by the Commission in adopting Resolution 17-21A and any action taken since March 1, 2017 to effectuate the transaction contemplated therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that Resolution 17-21A and any subsequent actions taken in relation thereto, are hereby ratified and affirmed.

---

**RESOLUTION: 17-21b-R**

**RE: Ratification of Approval of Aggregate Draws From the \$90 Million Real Estate Line of Credit (RELOC) from PNC Bank, N.A. as an Interim Source of Funding for the Cost of Acquiring Interests in Three Existing Low Income Tax Credit Partnerships to be Repaid through Property Cash as Available from Such Properties**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County ("HOC" or "Commission"), a public body corporate and politic duly created, organized and existing under the laws of the State of Maryland, is authorized pursuant to the Housing Authorities Law, organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland (the "Act"), to carry out and effectuate the purpose of providing affordable housing including providing for the acquisition, construction, rehabilitation and/or permanent financing or refinancing (or a plan of financing) of rental housing properties which provide a public purpose; and

**WHEREAS**, at an Executive Session duly called and held on March 1, 2017, with a quorum present, the Commission duly adopted Resolution 17-21B which authorized aggregate draws from the \$90 Million Real Estate Line of Credit ("RELOC") from PNC Bank, N.A. as an interim source of funding for the acquisition of limited partner interests in three existing Low Income Tax Credit partnerships, to be repaid through property cash as available from such properties; and

**WHEREAS**, consistent with the Commission's Amended and Restated Bylaws, the Commission wishes to ratify and affirm, in an open meeting with a quorum physically present,

the action undertaken by the Commission in adopting Resolution 17-21B and any action taken since March 1, 2017 to effectuate the transaction contemplated therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that Resolution 17-21B and any subsequent actions taken in relation thereto, are hereby ratified and affirmed.

**E. Ratification of Action Taken in Special Executive Session on March 23, 2017: Conditional Authorization to Purchase Real Property and Approval of Related Actions and Interim Funding**

**RESOLUTION: 17-22R**

**RE: Ratification of Action Taken in Special Executive Session on March 23, 2017: Conditional Authorization to Purchase Real Property and Approval of Related Actions and Interim Funding**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”), a public body corporate and politic duly created, organized and existing under the laws of the State of Maryland, is authorized pursuant to the Housing Authorities Law, organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland (the “Act”), to carry out and effectuate the purpose of providing affordable housing including providing for the acquisition, construction, rehabilitation and/or permanent financing or refinancing (or a plan of financing) of rental housing properties which provide a public purpose; and

**WHEREAS**, at a Special Executive Session duly called and held on March 23, 2017, with a quorum present, the Commission duly adopted Resolution 17-22ES which authorized the execution of a Purchase and Sale Agreement to acquire real property in Silver Spring, Maryland, funding for the acquisition, the retention of the current property management, and conditionally authorized the acquisition of the property; and

**WHEREAS**, consistent with the Commission’s Amended and Restated Bylaws, the Commission wishes to ratify and affirm, in an open meeting with a quorum physically present, the action undertaken by the Commission in adopting Resolution 17-22ES and any action taken since March 23, 2017 to effectuate the transaction contemplated therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that Resolution 17-22ES and any subsequent actions taken in relation thereto, are hereby ratified and affirmed.

**II. INFORMATION EXCHANGE**

- A. **Report of the Executive Director** – There were no additional items to add to the Executive Director’s written report but Mr. Spann mentioned HOC’s activities at Tobytown and participation in the Housing Initiatives Fund (HIF) testimony with Montgomery County.
- B. **Calendar and Follow-up Action** – Chair Simon thanked staff who participated at the Tobytown Cemetery clean-up. She expressed her delight in the progress being made there.
- C. **Commissioner Exchange** – Chair Simon asked that the video highlights be played. Shauna Sorrells, Director of Legislative and Public Affairs, shared that this is one of many videos that are played prior to the start of the meetings. This video, in particular, has a caption of the swearing in of the new Commissioner and highlights of the Fatherhood Initiative graduation ceremony.
- D. **Resident Advisory Board** - Yvonne Caughman, Vice President of the Resident Advisory Board, reported that the RAB has completed the MOU and it’s being circulated for approval.
- E. **Community Forum** – Susan Keran addressed the Board regarding concerns of the renovations at Arcola Towers and Waverly House Apartments. Bobbie DaCosta, Director of Property Management, Darcel Cox, Compliance Manager, and Fred Swan, Director of Resident Services, were designated to assist Ms. Keran with her concerns.

**III. COMMITTEE REPORTS and RECOMMENDATIONS FOR ACTION**

**A. Development and Finance Committee – Com. Simon, Chair**

**1. Approval to Advance Funds from the Opportunity Housing Reserve Fund (OHRF) to Fund Predevelopment Expenses for Bauer Park, Town Center, and Stewartown Homes through the Submission of Low Income Housing Tax Credit Applications**

Kayrine Brown, Chief Investment and Real Estate Officer, and Zachary Marks, Assistant Director of New Development, were presenters.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Commissioner Croom. Affirmative votes were cast by Commissioners Simon, Nelson, Croom, Byrd, and Rodriguez. Vice Chair Hatcher recused himself from the vote. Commissioner McFarland was necessarily absent and did not participate in the vote.

**RESOLUTION: 17-23**

**RE: Approval to Advance Funds from the**



**Opportunity Housing Reserve Fund (OHRF)  
to Fund Predevelopment Expenses for  
Bauer Park, Town Center, and Stewartown  
Homes through the Submission of Low  
Income Housing Tax Credit Applications**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (the “Commission”) seeks to preserve Montgomery County’s existing affordable housing, including housing that, due to age, faces growing sustainability challenges; and

**WHEREAS**, Bauer Park Apartments, located at 14639 Bauer Drive in Rockville (“BauerPark”), Town Center Apartments, located at 90 Monroe Street in Rockville (“Town Center”), and Stewartown Homes, located at 9310 Merust Lane, Gaithersburg (“Stewartown”) and all three collectively “236 Properties”) face such challenges; and

**WHEREAS**, the 236 Properties were financed with Section 236 mortgages, which are still outstanding, and also receive subsidies through Rental Assistance Payment (“RAP”) contracts; and

**WHEREAS**, the RAP contracts for the 236 Properties are expiring approximately two years prior to the maturity of the properties’ Section 236 mortgages, the first of which matures during the second quarter of Calendar Year 2018; and

**WHEREAS**, in light of Bauer Park and Stewartown’s sustainability challenges, and the expiration of their funding sources in the near future, the Commission wishes to refinance and renovate the 236 Properties to ensure their preservation; and

**WHEREAS**, the Commission wishes to assess the physical condition of Bauer Park and Stewartown, develop a scope of necessary and useful renovations, and fund the renovations with the refinance proceeds; and

**WHEREAS**, the Commission has identified a potential new property for the relocation of Town Center residents and transfer of all new subsidies, and wishes to assess the feasibility of that new location; and

**WHEREAS**, staff requires assistance from expert development and design consultants to properly assess the 236 Properties’ renovation and relocation opportunities; and

**WHEREAS**, the Commission previously authorized the Executive Director to execute a Letter of Intent (“LOI”) with Victory Housing Inc. (“VHI”) to perform certain feasibility studies at Bauer Park, pursuant to which VHI has incurred expenditures and must now be reimbursed.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it approves the advance of up to \$350,000 from the Opportunity Housing Reserve Fund (“OHRF”) to be used to reimburse Victory Housing Inc. for predevelopment expenditures for Bauer Park up, as they are incurred and in accordance with the LOI between HOC and VHI.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that it approves the advance of up to \$350,000 from the OHRF to be used to reimburse Victory Housing Inc. for predevelopment expenditures for the relocation of Town Center Apartment to Upton II, as they are incurred.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that it approves the advance of predevelopment funding for Stewartown Homes of up to \$150,000 to be paid from the OHRF.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the funds authorized herein for the 236 Properties for predevelopment funding will be paid back to the OHRF with proceeds from the construction financing for their renovations.

**2. Approval of the Final Development Plan and Budget for Greenhills Apartments; Authorization for the Executive Director to Execute the General Contractor Contract with Hamel Builders, Inc. for an Amount Not To Exceed \$5,700,000; and Approval of the Sale of Greenhills Apartments to Greenhills Apartments Limited Partnership**

Kayrine Brown, Chief Investment and Real Estate Officer, and Hyunsuk Choi, Senior Financial Analyst, were presenters.

Chair Pro Tem Nelson requested that, during the renovation process, that staff be mindful of ADA requirements.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Hatcher. Affirmative votes were cast by Commissioners Simon, Hatcher, Nelson, Croom, Byrd, and Rodriguez. Commissioner McFarland was necessarily absent and did not participate in the vote.

**RESOLUTION: 17-24**

**RE: Approval of the Final Development Plan and Budget for Greenhills Apartments; Authorization for the Executive Director to Execute the General Contractor Contract with Hamel Builders, Inc. for an Amount Not To Exceed \$5,700,000; and Approval of the Sale of Greenhills Apartments to Greenhills Apartments Limited Partnership**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”), a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law, is authorized thereby to effectuate the purpose of providing affordable housing, including providing financing for the construction of rental housing properties which provide a public purpose; and

**WHEREAS**, Greenhills Apartments (the “Property”) is a 78-unit townhouse and apartment complex located at 10560 Tralee Terrace, Damascus, Maryland which was acquired by the Commission in 1998; and

**WHEREAS**, the Preliminary Development Plan for the renovation of the Property was approved by the Commission on June 3, 2015 which proposed funding the renovation of the Property with tax-exempt bonds issued by HOC, equity from the sale of LIHTC, a deferred developer fee, and a seller note, for a combined total funding of \$26.6MM; and

**WHEREAS**, the Preliminary Development Plan also provided for the creation of Greenhills Apartments Limited Partnership (the “Partnership”), an entity controlled by HOC, to acquire the Property in order to avail itself of the equity raised by the syndication of 4% Low Income Housing Tax Credits; and

**WHEREAS**, Greenhills Apartments Limited Partnership was created on July 22, 2016, with Greenhills Apartments GP LLC as the general partner and HOC as the initial limited partner; and

**WHEREAS**, on September 7, 2016, the Commission approved the selection of Hamel Builders, Inc. (“Hamel”) as general contractor for the renovation of the Property and authorized the Executive Director of the Commission to enter into contract negotiations; and

**WHEREAS**, the Executive Director has fully negotiated a contract with Hamel for an amount not to exceed \$5.7 million; and

**WHEREAS**, on December 17, 2016, the Commission approved the PNC Real Estate-Tax Credit Capital as Low Income Housing Tax Credit Syndicator for the Greenhills Apartment transaction; and

**WHEREAS**, an application for Low Income Housing Tax Credit (“LIHTC”) was submitted to the Maryland Department of Housing and Community Development on February 7, 2017; and

**WHEREAS**, HOC and the Partnership expect to receive a Letter of Reservation of Federal Low Income Housing Tax Credits from the Maryland Department of Housing and

Community Development which will enable the Partnership to raise approximately \$5.6 million in equity to pay part of its development costs; and

**WHEREAS**, staff will return to the Commission at a later date to seek its approval of the final financing plan which, in addition to tax-exempt and LIHTC equity funding, will include a request to approve a loan that bridges the funding of LIHTC equity; and

**WHEREAS**, the Commission has requested that staff present a Final Development Plan identifying the sources of funds to finance all costs and repay all loans made from the Opportunity Housing Reserve Fund once all costs were identified and a budget finalized.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and for and on behalf of Greenhills Apartments GP LLC, acting for itself and for and on behalf of Greenhills Apartments Limited Partnership as its general partner, that it hereby grants:

1. Approves the Final Development Plan's proposed funding through the issuance by HOC of tax-exempt bonds, equity from the sale of LIHTC, a deferred developer fee, and a seller note, for a total of approximately \$25.6MM.
2. Authorizes the Executive Director to sign the general contractor contract with Hamel for an amount not to exceed \$5.7 million.
3. Approves the Final Development Plan's increase in the number of restricted affordable units from 47 to 55 (70%), serving households with incomes at or below 60% of the area median income.
4. Approves the sale of Greenhills Apartments to Greenhills Apartments Limited Partnership for the appraised value of \$12,040,000.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and for and on behalf of Greenhills Apartments GP LLC, acting for itself and for and on behalf of Greenhills Apartments Limited Partnership as its general partner, that the Executive Director is authorized, without any further action on their respective parts, to take any and all other actions necessary and proper to carry out the transactions and actions contemplated herein, including the execution of any documents related thereto.

**3. Approval to Create a Pool of Contractors to Provide Moving, Packing and Storage Services Pursuant to IFB #2020**

Kayrine Brown, Chief Investment and Real Estate Officer, and Ellen Goff, Real Estate Operations Manager, were presenters.

The following resolution was adopted, as amended, by Chair Pro Tem Nelson and seconded by Commissioner Hatcher. Affirmative votes were cast by Commissioners Simon, Hatcher, Nelson, Croom, Byrd, and Rodriguez. Commissioner McFarland was necessarily absent and did not participate in the vote.

**RESOLUTION: 17-25**

**RE: Approval to Create a Pool of Contractors to Provide Moving, Packing and Storage Services Pursuant to IFB #2020**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”) continues to review its entire real estate portfolio and anticipates that it will continue to undertake rehabilitation and redevelopment of a significant portion of the properties it owns or will acquire and this will require operational support as well as assistance with resident relocation; and

**WHEREAS**, tenant in-place renovations require providing residents with packing supplies and the moving of items to offsite storage, then the return of those items upon completion of renovations; and

**WHEREAS**, due to the extensive renovation required at some properties, tenant in-place renovation is not always feasible, requiring permanent or temporary tenant relocation; and

**WHEREAS**, packing assistance is provided on an as-needed-basis for elderly and disabled residents upon request; and

**WHEREAS**, there is or will be sufficient funding for resident relocation in each project’s approved development budget; and

**WHEREAS**, resident relocation is needed for the Supportive Housing Programs and Property Management and there is sufficient funding in their operating budgets; and

**WHEREAS**, to ensure the availability of adequate moving services and to facilitate timely and cost-effective resident relocation, on January 27, 2017, the Commission issued an Invitation for Bid (IFB) #2020 to solicit bids from qualified moving and storage companies to form a pool of moving companies to provide Moving, Packing and Storage Services (“Moving Pool”) for resident relocation; and

**WHEREAS**, seven companies submitted bids and were evaluated based on the established qualification criteria, including experience with similar residential relocation, price (packing materials, hourly rates and storage fees), qualification of staff and size and scope of all operations, and references; and

**WHEREAS**, applying the criteria described above, the five moving and storage companies selected for the Moving Pool are: R & A Movers; Johnson’s Moving and Storage;

Walters Relocation; Allen and Sons Moving and Storage, and; Blake and Sons Moving and Storage; and

**WHEREAS**, each moving company will be selected as needed from the Moving Pool and will be held to their bid pricing for the services to be provided; and

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it:

1. Authorizes the creation of a pool of moving companies to include R & A Movers, Johnson's Moving and Storage, Walters Relocation, Allen and Sons Moving and Storage, and Blake and Sons Moving and Storage to provide moving, packing and storage services.
2. Authorizes and directs the Executive Director, without further action on its part, to execute five individual contracts for moving, packing and storage services, as described by IFB #2020, with R & A Movers, Johnson's Moving and Storage, Walters Relocation, Allen and Sons Moving and Storage, and Blake and Sons Moving and Storage, for an aggregate amount of \$1,000,000.00, and an initial contract term of one year each with an option to extend for three additional one-year terms as permitted under HOC's procurement policy.
4. **Approval of Structure, Cost of Issuance Budget and Adoption of Series Resolution for 2017 Series A and 2017 Series B Single Family Mortgage Revenue Bonds for the Purpose of Refunding Various Single Family Mortgage Revenue Bonds and the Issuance of New Debt**

Kayrine Brown, Chief Investment and Real Estate Officer, and Jennifer Arrington, Assistant Director of Bond Management, were presenters.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Hatcher. Affirmative votes were cast by Commissioners Simon, Hatcher, Nelson, McFarland, Croom, Byrd, and Rodriguez. Commissioner McFarland was necessarily absent and did not participate in the vote.

**RESOLUTION: 17-26A**

**Re: Approval of Structure, Cost of Issuance Budget and Adoption of Series Resolution for 2017 Series A and 2017 Series B**

**Mortgage Revenue Bonds for the Purpose  
of Refunding Various Single Family  
Mortgage Revenue Bonds and the  
Issuance of New Debt**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (the “Commission”) is a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law (the “Act”), and authorized thereby to issue its notes and bonds from time to time to fulfill its corporate purposes; and

**WHEREAS**, the Housing Opportunities Commission of Montgomery County has issued various series of Single Family Mortgage Revenue Bonds under the Single Family Bond Resolution originally adopted on March 28, 1979, as amended (the “Bond Resolution”), a portion of which are currently outstanding; and

**WHEREAS**, the Bond Resolution authorizes the Commission to issue its bonds from time to time pursuant to one or more series resolutions in order to obtain funds to carry out its Single Family Mortgage Purchase Program (the “Single Family Program”); and

**WHEREAS**, the Commission desires to reduce its debt service expense in the Single Family Program and to produce low mortgage rates and new mortgage loans for Montgomery County, Maryland first time homebuyers; and

**WHEREAS**, financial market conditions are favorable for refinancing outstanding bond debt and for making mortgage loans to first time homebuyers; and

**WHEREAS**, the Commission has determined to carry out the Single Family Program by issuing its 2017 Single Family Mortgage Revenue Bonds in one or more series beginning with 2017 Series A and 2017 Series B, and with each subsequent series, if any, to follow in alphabetical order (collectively, the “2017 Bonds”) in a total aggregate principal amount not to exceed \$45,000,000; and

**WHEREAS**, the use of Private Activity Volume Cap for new debt and satisfaction of Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) will be required; and

**WHEREAS**, in connection with the proposed issuance of the 2017 Bonds, the Commission has reviewed the recommended structure and the cost of issuance budget and has been provided with initial drafts of the series resolution to be adopted prior to the issuance of the 2017 Bonds (the “Series Resolution”), and the preliminary official statement to be provided to prospective purchasers of the 2017 Bonds (the “POS” and following the sale of the 2017 Bonds and the appropriate revisions reflecting the final pricing and terms of the 2017 Bonds, the “Official Statement”);

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that:

**1. *The 2017 Bonds.*** The 2017 Bonds are authorized to be issued in a principal amount not to exceed \$45,000,000 (i) to refund and redeem certain bonds outstanding under the Bond Resolution, (ii) to make, purchase or finance newly originated Mortgage Loans (as defined in the Bond Resolution), and (iii) if necessary, to fund certain required reserves.

**2. *Approval of the Series Resolution and the Structure of the 2017 Bonds.*** The 2017 Bonds are to be issued pursuant to the terms of the Bond Resolution and pursuant to the terms of the Series Resolution which have been provided to the Commission. The Commission hereby approves the current provisions of the Series Resolution and the structure of the 2017 Bonds set forth therein and in the POS. The Executive Director is hereby authorized to approve the final form of the Series Resolution, the POS and the Official Statement prior to the issuance of the 2017 Bonds.

**3. *Commission Documents.*** The Chair, the Vice-Chair, the Chair Pro Tem and the Executive Director of the Commission are hereby authorized and directed to execute and deliver the Series Resolution, the Official Statement and any such other documents and agreements to be prepared in connection with the issuance of the 2017 Bonds (the "Commission Documents") in such forms as shall be prepared and approved by the Chair, the Vice Chair, the Chair Pro Tem or the Executive Director, their execution and delivery of the Commission Documents being conclusive evidence of such approval and of the approval of the Commission and the Secretary of the Commission, or any other Authorized Representative (defined below), is hereby authorized and directed to affix the seal of the Commission to the Commission Documents and to attest the same.

**4. *Authorizing Ongoing Determinations under Commission Documents.*** The Executive Director is hereby authorized, without further authority from the Board of Commissioners, to perform any act, to execute any documents, and to make any ongoing determinations as may be required to be made on behalf of the Commission from time to time including, but not limited to, the determination of other terms to be in effect with respect to the 2017 Bonds as shall be set forth in the Commission Documents.

**5. *Other Action.*** The Chair or Vice Chair or Chair Pro Tem and the Executive Director of the Commission or a person designated by the Executive Director to act on his behalf (the "Authorized Representative") are hereby authorized and directed to undertake any other actions necessary (i) for the issuance and sale of the 2017 Bonds, (ii) for the refunding and redemption or repayment of prior bonds (the "Prior Bonds"), (iii) for the financing of new Mortgage Loans under the Single Family Program, (iv) for the performance of any and all actions required or contemplated under the Bond Resolution, the Series Resolution, the POS, the Official Statement and any other financing documents relating to the issuance of the 2017 Bonds, and (v) for the entire period during which the 2017 Bonds are outstanding following the issuance thereof.



**6. Approval of Allocation of Volume Cap.** The Commission approves the allocation of approximately \$30,000,000 of Private Activity Volume Cap to complete the transaction.

**7. Approval of Cost of Issuance.** The Commission approves the cost of issuance budget in an amount up to \$625,000 to be incurred by the Commission in connection with the issuance of the 2017 Bonds.

**8. Appointment of Financial Advisor and Bond Counsel.** Caine Mitter & Associates Incorporated is hereby appointed as Financial Advisor, and Kutak Rock LLP, Washington, D.C., is hereby appointed as Bond Counsel in connection with the issuance of the 2017 Bonds.

**9. Action Approved and Confirmed.** All acts and doings of the officers of the Commission which are in conformity with the purposes and intent of this resolution and in the furtherance of the issuance and sale of the 2017 Bonds, the refunding and redemption of the Prior Bonds and the financing of newly originated Mortgage Loans approved hereby and the execution, delivery and performance of the Commission Documents authorized hereby are in all respects approved and confirmed.

**10. Severability.** If any provision of this resolution shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provision to be invalid, inoperative or unenforceable to any extent whatsoever.

**11. Effective Date.** This resolution shall take effect immediately.

---

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Commissioner Croom. Affirmative votes were cast by Commissioners Simon, Hatcher, Nelson, McFarland, Croom, Byrd, and Rodriguez. Commissioner McFarland was necessarily absent and did not participate in the vote.

HOUSING OPPORTUNITIES COMMISSION  
OF MONTGOMERY COUNTY

Resolution No. 17-26B

SERIES RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE  
OF

[\\$27,400,000] PRINCIPAL AMOUNT OF SINGLE FAMILY  
MORTGAGE REVENUE BONDS, 2017 SERIES A OF THE HOUSING  
OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

and

[\$11,145,000] PRINCIPAL AMOUNT OF SINGLE FAMILY  
MORTGAGE REVENUE BONDS, 2017 SERIES B OF THE HOUSING  
OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY  
(Complete document has been filed in the Commission Support Office)

**B. Bond Counsel Evaluation Committee**

**1. Approval of Firms Selected to Serve the Commission as Bond Counsel for a New Contract Term in Accordance with Request for Proposal (RFP) #2043**

Kayrine Brown, Chief Investment and Real Estate Officer, was the presenter.

The following resolution was adopted upon a motion by Chair Pro Tem Nelson and seconded by Vice Chair Hatcher. Affirmative votes were cast by Commissioners Simon, Hatcher, Nelson, Croom, Byrd, and Rodriguez. Commissioner McFarland was necessarily absent and did not participate in the vote.

**Resolution: 17-27**

**Re: Approval of Firms Selected to Serve the Commission as Bond Counsel for a New Contract Term in Accordance with Request for Proposal (RFP) #2043**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County (the "Commission") is a public body corporate and politic duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law, and the Agreement by and between the Housing Opportunities Commission of Montgomery County and Montgomery County, Maryland (the "County"), effective July 1, 2010, as amended (together, the "Act"), and authorized thereby to issue its notes and bonds from time to time to fulfill its corporate purposes; and

**WHEREAS**, the ability to issue notes and bonds to the capital markets is subject to the availability of an opinion of a nationally recognized bond counsel concerning (1) the validity of the bonds and (2) the excludability of interest on the bonds from gross income for federal income tax purposes, without which the bonds are not normally marketable; and

**WHEREAS**, in 2012, the Commission appointed Kutak Rock LLP as bond counsel for its financing programs for a four year term which was extended for one year in 2016, ending on April 10, 2017 with specific instruction to staff to begin a new procurement as soon as practical; and

**WHEREAS**, the Commission seeks the services of bond counsel that is highly qualified and experienced in the issuance of revenue bonds for single family and multifamily programs under parity (open) indentures as well as stand-alone (conduit) indentures at prices that are highly competitive in the market place; and

**WHEREAS**, the Commission wishes to expand its bond counsel selection to ensure continuity of its programs and avoid the ongoing reliance on a single firm; and

**WHEREAS**, the Bond Counsel Evaluation Committee has completed its review of five firms which submitted proposal to serve as bond counsel to the Commission in response to request for proposal #2043 and has determined that the law firms of Kutak Rock LLP and Ballard Spahr LLP were most responsive and are most qualified to represent the Commission as Bond Counsel for a new contract term.

**NOW, THEREFORE BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it approves the selection of Kutak Rock LLP and Ballard Spahr LLP as its bond counsel for a new contract term of three (3) years initially with two additional one year extensions and authorizes the Executive Director to execute contract documents in conformance with the submitted proposal and past practices.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that it approves the selection of Kutak Rock LLP as its sole bond counsel for the Single Family Mortgage revenue Bond Resolution and its Single Family Housing Bond Resolution.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that it approves the selection of Kutak Rock LLP and Ballard Spahr as bond counsel for its multifamily issuances with Ballard Spahr initially serving as bond counsel for selected standalone transactions as they become experienced with HOC and demonstrate their ability to perform on other transactions.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that it authorizes the Executive Director without further action on its part to make determination to assign Ballard Spahr LLP as bond counsel for selected stand-alone transactions.

**BE IT FURTHER RESOLVED** that the negotiated and proposed fees are approved and the maximum annual contract amount shall not exceed \$600,000 for each of the initial four years.

### C. Legislative and Regulatory Committee

**1. Authorization to Submit HOC's FY 2018 Annual Public Housing Agency (PHA) Plan**

Ethan Cohen, Housing Programs Coordinator, was the presenter.

The following resolution was adopted upon a motion by Commissioner Byrd and seconded by Commissioner Croom. Affirmative votes were cast by Commissioners Simon, Hatcher, Nelson, Croom, Byrd, and Rodriguez. Commissioner McFarland was necessarily absent and did not participate in the vote.

**Resolution: 17-28**

**Re: Authorization to Submit HOC's FY 2018 Annual Public Housing Agency (PHA) Plan**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County ("HOC") seeks to implement the mandatory Annual and Five-Year PHA Plan requirements of the Quality Housing and Work Responsibility Act of 1998 (QHWRA); and

**WHEREAS**, the submission of the FY 2018 Annual PHA Plan has been prepared in accordance with 24 CFR Part 903 regulations and requirements for submission to HUD; and

**WHEREAS**, HOC has worked in collaboration with the Resident Advisory Board to obtain recommendations in the development of the proposed Annual PHA Plan Submission; and

**WHEREAS**, HOC has obtained certification from local government officials that the proposed Annual PHA **Plan Submission is consistent with the jurisdiction's** Consolidated Plan; and

**WHEREAS**, HOC will conduct a Public Hearing on April 5, 2017 to obtain public comments regarding the proposed Annual PHA Plan Submission; and

**WHEREAS**, HOC has considered all comments and recommendations received and has incorporated all relevant changes in the proposed Annual PHA Plan Submission.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Housing Opportunities Commission of Montgomery County that it approves the FY 2018 Annual PHA Plan and its submission to HUD no later than April 17, 2017, as required by federal regulation.

**BE IT FURTHER RESOLVED** that the Executive Director is hereby authorized and directed to take all actions necessary and proper to accomplish the activity contemplated herein.

**IV. ITEMS REQUIRING DELIBERATION and/or ACTION**

None

V. **\*FUTURE ACTION ITEMS**

None

VI. **INFORMATION EXCHANGE (continued)**

None

VII. **NEW BUSINESS**

None

VIII. **EXECUTIVE SESSION FINDINGS and/or ACTION**

None

Based upon this report, and there being no further business to come before this open session of the Commission, pursuant to Section 3-305 of the General Provisions Article of the Maryland Annotated Code, a motion was made to adjourn the open session to a closed session by Vice Chair Hatcher and seconded by Chair Pro Tem Nelson. Affirmative votes were cast by Commissioners Simon, Hatcher, Nelson, Croom, Byrd, and Rodriguez. Commissioner McFarland was necessarily absent and did not participate in the vote.

The open session adjourned at 5:10 p.m.

Respectfully submitted,

Stacy L. Spann  
Secretary-Treasurer

/pmb

# Information Exchange

*Tobytown Cemetery Clean Up*

On March 30<sup>th</sup>, landscaping staff from VLC, Tobytown residents and six HOC staff members restored the historic cemetery at Tobytown. The team cleared all overgrown bush, removed approximately 8-12 inches of leaves and other debris. Low hanging tree limbs and trees growing into the fence were cut down. All trash inside the enclosure was removed and properly discarded. The existing gate was also reattached. Additionally, the group identified and taped off more than 15 possible grave markers.





### *HOC Receives NALHFA Award*

On April 27<sup>th</sup>, HOC was recognized for “Multifamily Excellence” at the 2017 National Association of Local Housing Finance Agencies (NALHFA) Annual Conference Awards Luncheon. The Multifamily Excellence category celebrates novel multifamily projects and programs. Submissions were judged based on their ability to demonstrate an extraordinary benefit to the community, innovation, transferability, levels of affordability and serving the needs of special groups. HOC’s application highlighted the pooled financing structure of the RAD 6 rehabilitation project completed in July 2016. The submission detailed HOC’s innovation in financing that is replicable in other communities. This strategy has tremendous potential to deepen the level of redevelopment that can be accomplished by agencies nationwide.

### *HOC Delivers Donations to Habitat for Humanity ReStore*



On April 19<sup>th</sup> and 20<sup>th</sup>, HOC donated 15 apartments worth of previously used appliances to Habitat for Humanity ReStore. Appliances were gathered from vacant units at Alexander House in Silver Spring and included ranges, refrigerators, washer/dryer stack units, dishwashers, and microwaves.

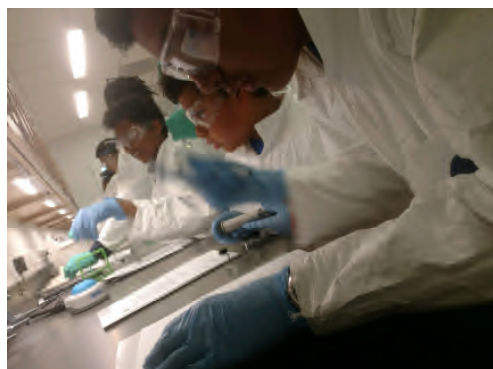
This is the second round of HOC donations to Habitat for Humanity Restore. The first round of donations yielded nearly 100 appliances for resale by ReStore. ReStore serves as a discount home improvement center as all items are sold at deep discounts. All proceeds are used to fund development of affordable housing in Montgomery and Prince George’s Counties.

### *Norm Dreyfuss Supports HOC Youth*

Thanks to the generosity of former HOC Commissioner Norm Dreyfuss, one hundred children, staff and chaperones attended the Ringling Brothers Barnum & Bailey Circus on March 30, 2017. Participants journeyed to the Verizon Center to watch the show and took part in a meet and greet with the performers. Recently, Mr. Dreyfuss was instrumental in connecting HOC to the Washington Nationals Organization. Alan Gottlieb of the Nationals provided the Agency 300 free tickets to four games throughout the summer. Norm Dreyfuss will generously sponsor lunch for attendees at the game.

### **HOC Academy**

#### *HOC Academy Takes Youth to New York City on STEM Field Trip*



In April, 16 HOC Academy youth participated in an over-night field trip to the City University of New York’s (CUNY) Advance Science Research Center (ASRC). The group arrived in Harlem on Sunday, April 23<sup>rd</sup>, where





they dined at the famous Amy Ruth's Restaurant and took a walking tour of several cultural sites, including the famed Apollo Theater.

On Monday, April 24<sup>th</sup>, the group of scholars toured the new ASRC and received a private presentation on Nanoscience. After the lecture, they participated in the "Science of Gels Experiment". Through experimentation, students learned about peptide bond formation. They observed the reaction between two amino acids in the presence of an enzyme called Thermolysin. When the experiment was complete, the 16 scholars marveled over what they had produced—gel!

The CUNY visit included a delicious lunch followed by tours of the historic campus and its laboratories. For many of the young scholars, it was their first visit to New York. HOC's first CUNY ASRC Field Trip helped foster new friendships and new interests in science. Transportation was provided through a grant from Housing Opportunities Community Partners.

#### *Fatherhood Initiative Staff Speak at Regional Conference*

On April 13, 2017, staff from HOC's Fatherhood Initiative spoke at the National Resource Center for Healthy Marriage and Families Mid-Atlantic Regional Integration Institute. Staff were invited to speak on the topic "Connecting Healthy Relationship Education Skills and Safety-Net Services as an Integrated Approach to Strengthening Families", in Baltimore MD. HOC staff were among seven invited grantees who shared information on incorporating healthy relationship education with social services at the state and county level.

#### *Fatherhood Initiative Recruitment Reaches New Heights*

The Fatherhood Initiative has expanded its recruitment pipeline by partnering with multiple agencies to provide referrals. The team has worked with the National Center for Children and Families, the Rental Assistance Program of Montgomery County MD, Interfaith Works, Montgomery County Public Schools, Montgomery County Coalition for the Homeless, the HeadStart program, and community churches. These organizations serve HOC customers in various ways and have been impressed with the Fatherhood Initiative.

#### *Fatherhood Initiative Celebrates its Fifth Cohort*

The fifth cohort of the Fatherhood Initiative is the largest to date. Cohort 5 (Epsilon) consists of 19 participants--fathers, mothers, and four couples. With the increase in participants, HOC has also seen an influx of children as it strives to eliminate all barriers to participation including childcare. The Fatherhood Initiative has provided activities for the 16 youth that accompany parents to scheduled workshops. The activities consist of movie nights, homework help and outdoor activities. Because of the growing number of children, the FI team has sought partnerships with other agencies to establish a structured youth curriculum within the Fatherhood Initiative.

**Resident Services**

*Youth at Stewartown Participate in Statewide Poster Competition*

On April 18<sup>th</sup>, a dozen youth from the Stewartown Community met to design posters for MAHRA’s “What Home Means to Me” poster contest. Children served by housing agencies across the state are encouraged to submit posters and a short narrative on the inspiration, vision and importance of their poster and how their home impacts their lives.



# HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY

## May 2017

2	Budget, Finance and Audit Committee Meeting ( <i>Nelson, Simon, Hatcher</i> )	10:00 a.m.
3	Proposed Procurement Policy Worksession ( <i>All</i> )	1:00 p.m.
3	Public Hearing – re: Authorization to Revise HOC’s Administrative Plan to Provide a Preference for Families with Histories of Homelessness ( <i>Simon</i> )	3:30 p.m.
3	HOC Regular Meeting ( <i>All</i> )	4:00 p.m.
4	<b>Housing for People with Disabilities Group (<i>All</i>)</b>	<b>1:00 p.m.</b>
5	Affordable Housing Conference - 26 <sup>th</sup> Annual Affordable Housing Summit ( <i>All</i> ) — Bethesda North Marriot Conference Center, 5701 Marinelli Road, N. Bethesda, MD	8 a.m. – 3 p.m.
9	Budget, Finance and Audit Committee Meeting ( <i>Nelson, Simon, Hatcher</i> )	10:00 a.m.
13	<b>FSS Family Fun Day (<i>All</i>)</b>	<b>11 a.m. – 2 p.m.</b>
15	Resident Advisory Board ( <i>Croom</i> )	6:00 p.m.
15	<b>Banor Board Meeting (<i>Hatcher, Nelson</i>)</b>	<b>7:30 p.m.</b>
16	Legislative and Regulatory Committee Meeting ( <i>Byrd, Croom, Simon</i> )	4:00 p.m.
18	<b>Food for Thought (<i>All</i>)</b>	<b>6 – 8 p.m.</b>
19	Development and Finance Committee Meeting ( <i>Simon, McFarland, Nelson</i> )	10:00 a.m.
22	Agenda Formulation ( <i>Simon, Nelson</i> )	12:00 noon
23	Budget, Finance and Audit Committee Meeting ( <i>Nelson, Simon, Hatcher</i> )	10:00 a.m.
24-26	MAHRA Conference ( <i>All</i> ) – Princess Royal Hotel, 9100 Coastal Hwy., Ocean City, MD 21842	
29	Memorial Day Holiday (HOC Offices Closed)	

## June 2017

5	Town Hall Meeting ( <i>All</i> ) – Gaithersburg High School, 101 Education Dr., Gaithersburg, MD 20877)	6 p.m. - 7 p.m.
7	HOC Regular Meeting ( <i>All</i> )	4:00 p.m.
8	<b>HOC Day of Service (<i>All</i>)</b>	<b>8:30 a.m. – 3:30 p.m.</b>
9	Staff Appreciation Day ( <i>All</i> )	9:00 a.m.
16	Tony Davis Scholarship Committee Meeting ( <i>Simon</i> )	10:00 a.m.
19	Resident Advisory Board ( <i>Croom</i> )	6:00 p.m.
23	Development and Finance Committee Meeting ( <i>Simon, McFarland, Nelson</i> )	10:00 a.m.
23	Status/Lunch Meeting w/Executive Director ( <i>All</i> ) – Location TBD	12:00 noon
26	Agenda Formulation ( <i>Simon, McFarland</i> )	12:00 noon

## July 2017

4	Independence Day (HOC Office Closed)	
12	Tony Davis Scholarship Award Reception ( <i>All</i> )	3:30 p.m.
12	HOC Regular Meeting ( <i>All</i> )	4:00 p.m.
16-18	NAHRO Summer Conference ( <i>All</i> ) (Indianapolis Marriott Downtown Hotel, 350 W. Maryland St., Indianapolis, IN 46225)	
17	Resident Advisory Board ( <i>Croom</i> )	6:00 p.m.
18	Legislative and Regulatory Committee Meeting ( <i>Byrd, Croom, Simon</i> )	4:00 p.m.
21	Development and Finance Committee Meeting ( <i>Simon, McFarland, Nelson</i> )	10:00 p.m.
31	Agenda Formulation ( <i>Simon, McFarland</i> )	12:00 noon

## August 2017

---

1	National Night Out ( <i>All</i> )	5 - 9 p.m.
9	HOC Regular Meeting ( <i>All</i> )	4:00 p.m.
15	Budget, Finance and Audit Committee Meeting ( <i>Nelson, Simon, Hatcher</i> )	10:00 a.m.
18	Development and Finance Committee Meeting ( <i>Simon, McFarland, Nelson</i> )	10:00 a.m.
18	Status/Lunch Meeting w/Executive Director ( <i>All</i> ) – Location TBD	12:00 noon
28	Agenda Formulation ( <i>Simon, Croom</i> )	12:00 noon

---

### September 2017

---

6	HOC Regular Meeting ( <i>All</i> )	4:00 p.m.
15	Development and Finance Committee Meeting ( <i>Simon, McFarland, Nelson</i> )	10:00 a.m.
18	Resident Advisory Board ( <i>Croom</i> )	6:00 p.m.
19	Legislative and Regulatory Committee Meeting ( <i>Byrd, Croom, Simon</i> )	4:00 p.m.
20	Budget, Finance and Audit Committee Meeting ( <i>Nelson, Simon, Hatcher</i> )	10:00 a.m.
25	Agenda Formulation ( <i>Simon, Croom</i> )	12:00 noon

---

### October 2017

---

4	HOC Regular Meeting ( <i>All</i> )	4:00 p.m.
16	Resident Advisory Board ( <i>Croom</i> )	6:00 p.m.
17	Budget, Finance and Audit Committee Meeting ( <i>Nelson, Simon, Hatcher</i> )	10:00 a.m.
20	Development and Finance Committee Meeting ( <i>Simon, McFarland, Nelson</i> )	10:00 a.m.
20	Status/Lunch Meeting w/Executive Director ( <i>All</i> ) – Location TBD	12:00 noon
23	Agenda Formulation ( <i>Simon, Byrd</i> )	12:00 noon

---

#### Activities of Interest

- 1 – Follow-up Meeting w/Housing for People with Disabilities Group
  - 2 – Property Tour
-

# Committee Reports and Recommendations for Action

# Development and Finance Committee

APPROVAL TO SELECT CONSTRUCTION MANAGEMENT COMPANY FOR THE  
DEVELOPMENT OF ELIZABETH HOUSE III APARTMENTS AND THE SOUTH  
COUNTY REGIONAL RECREATION AND AQUATIC CENTER PURSUANT TO  
REQUEST FOR PROPOSALS #2056 AND AUTHORIZATION TO NEGOTIATE AND  
EXECUTE CONTRACT WITH JONES LANG LASALLE (JLL)

---



STACY L. SPANN, EXECUTIVE DIRECTOR

KAYRINE V. BROWN  
ZACHARY MARKS  
BRIAN KIM  
HYUNSUK CHOI

May 3, 2017

# Table of Contents

Topics	Page
Executive Summary .....	3
Selection of Construction Management – Criteria .....	5
Selection of Construction Management – Firm Experience .....	6
Selection of Construction Management – Scoring Summary .....	8
Summary and Recommendations .....	9



# Executive Summary

- The revised Sketch Plan, Preliminary Plan, and Site Plan for the development of Elizabeth Square will be submitted to the Maryland National Capital Park and Planning Commission (“M-NCPPC”) in May 2017 with approval projected for September 2017.
- The revised development plan will include 267 residential units at Elizabeth House III (the “EH III Apartments”), of which 120 units will be set aside as affordable units, 120,000 square feet of The South County Regional Recreation and Aquatic Center (“SCRRAC”), and 7,500 square feet for Holy Cross Hospital Senior Resource Center and Primary Care Facility.
- Staff is anticipating to begin demolition of the Fenwick Business Park, on which EH III Apartments will be constructed, in July 2017.
- Schematic and Design Development Plans for the new EH III Apartments is anticipated to be completed by June 2017.
- To ensure the efficient and timely execution of the Commission’s goal of providing safe, high quality, amenity rich, affordable housing, staff proposes the use of a Construction Manager to support and manage this complex development process.



# Executive Summary (Continued)

- Based on the complexity of the development, precipitated by introducing the SCRRAC, and the current workloads of the existing firms within the HOC construction management pool, staff issued a request for proposals (“RFP”) #2056 for Construction Management (“CM”) Services on March 22, 2017 for the development and received four proposals.
- The RFP specifically solicited firms with extensive experience in the development of public government facilities, aquatic and recreation centers, a tight urban site with limited construction access, developments within the zone of influence of WMATA Metro and CSX tracks, high-rise multifamily structures, and multiple levels of underground parking.
- The scoring criteria to select the construction management firm gave preference to firms with extensive experiences in the above mentioned requirements versus experience in affordable housing developments for housing agencies.
- Staff recommends that the Commission accept the recommendation of the Development and Finance Committee which met on April 19, 2017 and approve the selection of Jones Lang LaSalle (“JLL”) to provide construction management services for the EH III Apartments and SCRRAC development.
- Staff further recommends authorization for the Executive Director to negotiate and execute a contract with Jones Lang LaSalle for \$1,495,000 which will consist of 1) a pre-development portion for \$270,000 (\$30,000 per month) to be funded from the current EH III pre-development funding, and 2) a construction and closeout portion for \$1,225,000 to be funded from loan proceeds at the construction loan closing of the transaction.

# Selection of Construction Management - Criteria

HOC issued a request for proposals (“RFP”) #2056 for Construction Management Services for the construction of EH III Apartments and the SCRRAC on March 22, 2017. The scoring team (consisting of staff from Mortgage Finance, Real Estate Development and Finance) completed its review of the responses on April 7, 2017 based on the following criteria:

- **Experience (20 points)**
  - Key Factors: Demonstrated experience with similar project types (minimum of five) completed new construction projects), completion of projects of similar scope, new construction units where the CM advisor was the sole provider of the services with single contract values of at least Twenty Five Million Dollars (\$25,000,000.00), local building codes and experience with high rise buildings
  - Demonstrated experience with major utility coordination to include: full electrical system with underground connections to buildings, security, CCTV and access control systems, plumbing systems, mechanical systems, fire sprinkler and monitoring systems
- **Price (20 points)**
  - Price per hourly rate schedule with monthly fee
- **Qualifications (30 points)**
  - Key Factors: Principal and staff resumes, organization/team ability and availability to undertake and successfully complete the project: commitment to adhere to HOC’s Section 3 requirement; and willingness to employ and train minority, female, and disabled persons
  - Ability of the organization/team to undertake and complete successfully projects of comparable size and scope
- **Schedule (15 points)**
  - Construction Management firm approach to project and delivery schedule
- **Three (3) References (15 points)**
  - Provide owners or representatives of newly constructed properties

# Selection of Construction Management – Firm Experience

- **Jones Lang LaSalle (JLL)**

- Is an international company with \$1 billion annual reported revenue for the Mid-Atlantic region in 2016.
- It is located/based in Chicago, IL with offices nationwide including Washington, D.C. and has been providing construction management services for over 100 years.
- Their clients include federal government agencies, state and local authorities, universities, real estate developers, major corporations, etc.
- They report a total of 208 projects encompassing 9.6 million square feet managed in the Maryland, Virginia and Washington, D.C. area in 2017. These included Reston Station (called BLVD and Phase I garage), Metropolitan Park (Bethesda) and Studio Plaza (Silver Spring), Smith Aquatic Center (VA) and mixed-use high-rise developments.



*Reston Station (Called BLVD )*



*Smith Aquatic Center (VA)*

- **Hanscomb Consulting, Inc.**

- Was established in 2013 and is based in Alexandria, VA.
- They are a leading provider of owner’s representation services and construction cost consulting. Their clients include federal government agencies, state and local authorities, universities, real estate developers, major corporations, etc.
- They are a certified Small, Woman-owned, and Minority-owned Business (SWaM) in the Commonwealth of Virginia.
- They provided a series of budgets, estimates and cost allocation studies for ESquare project.
- They report a total of 21 projects encompassing \$3.7 billion project value managed in Maryland, Virginia and Washington, D.C. area. These included Hampden Row Condominium (Bethesda), Watergate Hotel (Interior demolition and rebuild of the hotel) and Cambria Hotel & Suites (Manhattan, NY) and 4747 Bethesda Ave (under construction, Bethesda) mixed-use high-rise developments.



*Hampden Row Condominiums*



# Selection of Construction Management – Firm Experience

- **Building Consultants, Inc. (BCI)**

- Was established in 1990 and is based in Ellicott City, MD. The corporation is an organization of professionals providing a wide range of real estate services including architectural, engineering, environmental assessments and reviews and lender service in addition to construction management advising and monitoring.
- They are certified as a minority business enterprise in Maryland.
- Their clients include federal government agencies, state and local authorities, universities, real estate developers, major corporations, etc.
- They recently completed work as the construction management/owner's representative for The Bonifant at Silver Spring, Memorial Senior Apartment (Baltimore), Flats at Eutaw Place (Baltimore) and Johns Hopkins Graduate Apartments (Baltimore).



*The Bonifant at Silver Spring*

- **JDC Construction Company Inc.**

- Based in Washington, D.C., has been in business since 2003 and reports managing an average of \$80 million in construction per year over the past five years.
- They provide comprehensive and systematic project and construction management services for community development projects.
- Their clients include federal government agencies, state and local authorities, real estate developers.
- They are currently working on HOC projects (Chevy Chase Lake, Waverly House, VPC and Alexander House)
- They recently completed work as the construction management/owner's representative for Severna Phase I and II (Washington DC), Edgewood Terrace I (Washington DC), Nannie Helen @4800 (Washington DC).



*Severna Phase I and II*

# Selection of Construction Management – Scoring Summary

There were four respondents to RFP #2056. Of the four qualified responses, Jones Lang LaSalle (JLL) scored the highest in the average of the evaluators' scores on the criteria. Staff proposes the selection of Jones Lang LaSalle (JLL) as construction manager for new construction of EH III Apartments and the SCRRAC for the following reasons:

- Highest Average Score of 93.67 and taking into consideration their extensive experience with new construction including experience with construction of an aquatic center (Smith Aquatic Center in Charlottesville, Virginia)
- Variety experience with commercial and residential with federal government agencies, state and local authorities
- Solid and thorough proposal to show understanding of project by providing detailed recommendations and suggestions to EH III Apartments and SCRRAC unique project challenges

Rank	Construction Management	Experience with similar project types (Minimum of (5) completed New Construction) (30%)	Experience with government agencies and housing authorities in the Baltimore-Washington Metropolitan area with a preference for Montgomery County (20%)	Construction Management firm approach to project and delivery schedule (15%)	Price (20%)	Three (3) references from owners or representatives of newly constructed properties (15 %)	Total (100%)	Price
1	Jones Lang LaSalle (JLL)	30.0	18.3	15.0	16.3	14.6	93.67	\$1,495,000
2	Hanscomb Consulting, Inc	26.7	15.0	15.0	17.7	13.3	87.67	\$1,360,907
3	Building Consultants, Inc	26.3	18.3	12.7	11.7	14.0	83.00	\$2,854,250
4	JDC Construction Company, LLC	18.3	16.0	11.7	11.0	15.0	72.00	\$559,500

\*Evaluated by: Mortgage Finance, Finance and Real Estate Development

# Summary and Recommendations

## Issues for Consideration

Does the Commission wish to accept the recommendation of the Development and Finance Committee which met on April 19, 2017 and:

1. Approve the selection of Jones Lang LaSalle to provide Construction Management Services for the construction of EH III Apartments and the SCRRAC?
2. Authorize the Executive Director to negotiate and execute a contract with Jones Lang LaSalle for \$1,495,000 which will consist of a pre-development portion for \$270,000 to be funded from the current EH III pre-development funding and a construction and closeout portion for \$1,225,000 to be funded from proceeds of the construction financing?

## Time Frame

Action at the May 3, 2017 meeting of the Commission.

## Budget Impact

There is no adverse impact for the Agency's FY 2017 or FY 2018 operating budgets.

## Staff Recommendation and Commission Action Needed

Staff recommends that the Commission accept the recommendation of the Development and Finance Committee and approve the selection of Jones Lang LaSalle as Construction Manager for construction of EH III Apartments and the SCRRAC.

Staff further recommends authorization for the Executive Director to negotiate and execute a contract with Jones Lang LaSalle for \$1,495,000 in aggregate with the pre-development portion of \$270,000 (\$30,000 per month) funded from current EH III pre-development funding and for the construction and closeout portion of \$1,225,000 funded from construction financing proceeds at the closing of the transaction.

**RESOLUTION No.: 17-29**

**RE: APPROVAL TO SELECT CONSTRUCTION MANAGEMENT COMPANY FOR THE DEVELOPMENT OF ELIZABETH HOUSE III APARTMENTS (“EH III APARTMENTS”) AND THE SOUTH COUNTY REGIONAL RECREATION AND AQUATIC CENTER (SCRRAC) PURSUANT TO REQUEST FOR PROPOSALS #2056 AND AUTHORIZATION TO NEGOTIATE AND EXECUTE CONTRACT WITH JONES LANG LASALLE (JLL)**

**WHEREAS**, Elizabeth Square is a 136,032 sq. ft. parcel located in downtown Silver Spring, bounded by Fenwick Street to the North, Second Avenue to the East, WMATA Rail Lines to the West and Apple Street to the South, known as Elizabeth Square and consists of three discrete properties: Alexander House, owned by Alexander House Development Corporation and Alexander House Limited Partnership (“Alexander House”); Elizabeth House, owned by the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”), and Fenwick Professional Park owned by Acorn Storage No. 1, LLC a subsidiary of Lee Development Group (LDG) subject to a Master Lease to Elizabeth House III Limited Partnership, Elizabeth House III LLC and EH III Recreational Center, LLC; and

**WHEREAS**, the revised Sketch Plan, Preliminary Plan, and Site Plan for Elizabeth Square will be submitted to the Maryland National Capital Park and Planning Commission (“M-NCPPC”) on May 2017 with approval projected for September 2017; and

**WHEREAS**, the revised development plan will include 267 residential units in the Elizabeth House III Apartments (“EH III Apartments”) development, of which 120 units will be set aside as affordable units, the 120,000 square foot South County Regional Recreation and Aquatic Center (SCRRAC), and the 7,500 square foot Holy Cross Hospital Senior Resource Center and Primary Care Facility; and

**WHEREAS**, Schematic and Design Development Plans for the new EH III Apartments is anticipated to be completed by June 2017; and

**WHEREAS**, staff proposes the use of a Construction Manager to support and manage very complex development of AH III Apartments and the SCRRAC to ensure the efficient and effective execution of the Commission’s goal of providing safe, high quality, amenity rich, affordable housing and the County’s goal of delivering a recreational and aquatic center in the down county location of Montgomery County; and

**WHEREAS**, staff issued the request for proposals (RFP) #2056 for Construction Management Services on March 22, 2017 for the construction of EH III Apartments and the SCRRAC, soliciting firms with extensive experience in the development of public government facilities, aquatic and recreation centers, a tight urban site with limited construction access, developments within the zone of influence of WMATA metro and CSX tracks, high-rise multifamily structures, and multiple levels of underground parking; and



**WHEREAS**, there were four proposals submitted in response to the RFP (Jones Lang LaSalle, Hanscomb Consulting, Inc, Building Consultants, Inc. and JDC Construction Company, LLC) from which staff selected the highest scoring firm based on the established selection criteria in the RFP; and

**WHEREAS**, of the four qualified responses Jones Lang LaSalle (JLL) JLL, a company with extensive experience with new construction, both commercial and residential, to include experience with the construction of an aquatic center (Smith Aquatic Center in Charlottesville, Virginia) as well as experience with federal, state and local authorities, received the highest score, averaging 93.67; and

**WHEREAS**, the Commission wishes to approve the selection of JLL as construction manager for Elizabeth House III and the SCRRAC.

**NOW, THEREFORE, BE IT RESOLVED**, that the Housing Opportunities Commission of Montgomery County hereby approves the selection of Jones Lang LaSalle as construction manager for Elizabeth House III and the SCRRAC.

**BE IT FURTHER RESOLVED**, that the Housing Opportunities Commission of Montgomery County hereby authorizes the Executive Director of the Commission to negotiate and execute a contract with Jones Lang LaSalle for \$1,495,000 which will consist of a pre-development portion of \$270,000 (\$30,000 per month) and a construction and closeout portion of \$1,225,000.

**BE IT FURTHER RESOLVED**, by the Housing Opportunities Commission of Montgomery County that it authorizes funding of the predevelopment portion of \$270,000 from the existing predevelopment funding previously approved by the Commission, and that the construction and closeout portion of \$1,225,000 is authorized to be funded from loan proceeds at the closing of the construction financing of EH III Apartments and the SCRRAC.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director is authorized to take any and all other actions necessary and proper to carry out the transaction and actions contemplated herein including the execution of any documents related thereto.

**I HEREBY CERTIFY** that the foregoing resolution was approved by the Housing Opportunities Commission of Montgomery County at a regular open meeting on May 3, 2017.

S  
E  
A  
L

---

Patrice M. Birdsong  
Special Assistant to the Commission

# APPROVAL TO SELECT JDC CONSTRUCTION COMPANY AS CONSTRUCTION MANAGER FOR THE RENOVATION OF ALEXANDER HOUSE APARTMENTS

---



**STACY L. SPANN, EXECUTIVE DIRECTOR**

KAYRINE V. BROWN  
ZACHARY MARKS  
BRIAN KIM  
HYUNSUK CHOI

May 3, 2017

# Table of Contents

	<b>Page</b>
Executive Summary.....	3
Selection of General Contractor .....	4
Summary and Recommendations.....	5

# Executive Summary

- Alexander House Apartments (the “Property”) was originally constructed in 1992 and is located near the Silver Spring Metro Station. The Property is a 16-story building with a three-level underground parking garage. Prior to the start of renovation in January 2017, the building contained 311 units, 203 parking spaces, management offices, and maintenance and engineering rooms. The Property also shares a common outdoor pool with Elizabeth House Apartments, a Public Housing property located to the north that serves seniors of very low income.
- The approved development plan includes the sale of 40% of the units to a Low Income Housing Tax Credit limited partnership, to wit, the Property is now owned in part by Alexander House Limited Partnership (“AHLP”) (122 affordable housing units) and by Alexander House Development Corporation (“AHDC”) (183 market rate units).
- On January 31, 2017, Alexander House Apartments closed on a construction loan transaction with Citi Community Capital. The closing allows the existing apartment building to be updated to be more competitive in the downtown Silver Spring multifamily rental market. The Executive Director signed the general contractor contract with CBP Constructors LLC for \$25.3 million.
- To ensure the efficient and timely execution of the renovation plan, staff proposes the use of third-party construction management services to provide oversight of the redevelopment process to protect the Commission’s interests and to ensure the on-time delivery of the renovated units.
- On May 7, 2014, the Commission approved the creation of a pool of construction management professionals consisting of four firms JDC Construction Company, LLC, Dewberry Consultants, LLC, CFI Construction Corp., Efficient Home, LLC to provide such services. On May 4, 2016, the Commission approved two additional firms to be added to the construction management pool: Hess Construction and CBP Constructors.
- All firms in the pool were determined to have submitted complete proposals and were evaluated based on the established qualification criteria which included construction management qualifications, experience with renovation or construction projects similar in scope to those typically undertaken by the Commission, price (hourly rate), experience with government agencies and housing authorities, construction management approach and references.
- Staff solicited pricing proposals for construction management services for the renovation of Alexander House Apartments from firms in the construction management pool on January 6, 2017 and recommends that the Commission accept the recommendation of the Development & Finance Committee which met on April 19, 2017 to select JDC Construction Company as construction manager for the renovation of the Property.
- Staff further recommends approval for the Executive Director to execute a contract with JDC for \$304,500 for construction management services with costs allocated pro rata to AHLP (\$121,800) and to ALDC (\$182,700). The cost will be funded from each entity’s respective construction financing proceeds made available at the closing on January 31, 2017.

# Selection of Construction Manager

Three (3) respondents submitted pricing proposals on January 6, 2017. Based on price, staff recommends the selection JDC Construction Company, LLC as construction manager for the renovation of the Property.

JDC Construction is currently providing construction management services to HOC for its VPC renovations scheduled to finish in July 2017 and for its Waverly House renovations due to be complete by September 2017.

RANK	Construction Manager	Total Amount	Affordable Units 40% of Total Fees	Market Units 60% of Total Fees	Per Month (21 Months) *
1	JDC Construction	\$304,500	\$121,800	\$182,700	\$14,500
2	CFI Construction Corp.	\$381,455	\$152,582	\$228,873	\$18,165
3	Hess Builders	\$495,000	\$198,000	\$297,000	\$23,571

\* 18 Months Renovation and 3 Months Close Out.

## Firm Experience

- **JDC Construction** has substantial residential experience with performing the full scope of Construction Manager responsibilities and experience with government work including Section 3. Its team has experience with renovation of high-rise multifamily apartments in the Washington DC Metropolitan area.
- Experience with HOC projects.
  1. VPC: Renovation of scattered site units (Projected completion end of July 2017)
  2. Waverly House: High-rise multifamily apartments (Projected completion end of September 2017)
  3. CCL: New construction of high-rise multifamily apartments (Projected to be completed in September 2019)
  4. 900 Thayer: Pre-construction service for six months
- **CFI Construction Corp.** is a full service General Contractor specializing in public and private new construction projects, renovations, and property maintenance. They have completed a variety of small and mid-sized renovations.
- Experience with HOC projects.
  1. RAD 6: Renovation of six properties with 268 units (Completed November 2016)
  2. Tobytown: Exterior site improvements (Completed January 2017)
  3. Arcola Towers: High-rise multifamily apartments (Projected completion end of June 2017)
- **Hess Builders** is a full service General Contractor specializing in universities, research and development facilities, training centers, primary and secondary schools, fine arts spaces, and athletic facilities located throughout the Mid-Atlantic region as well as construction management.
- It is not currently working on any HOC projects.

May 3, 2017



# Summary and Recommendations

## Issues for Consideration

Does the Commission accept the recommendations of the Development and Finance Committee which met on April 19, 2017 to approve the selection of JDC Construction Company as Construction Manager for the renovation of Alexander House Apartments on behalf of AHLP?

Does the Commission authorize the Executive Director to execute a contract with JDC for an aggregate of \$304,500 of which \$121,800 is allocable to Alexander House Limited Partnership?

## Time Frame

Action at the May 3, 2017 meeting of the Commission.

## Budget Impact

There is no adverse impact for the Agency's FY 2017 or FY 2018 operating budgets.

## Staff Recommendation and Commission Action Needed

Staff recommends that the Commission accept the recommendation of the Development and Finance Committee and approve the selection of JDC Construction Company as Construction Manager for the renovation of Alexander House Apartments on behalf of AHLP.

Staff further recommends the Commission's authorization for the Executive Director to execute a contract with JDC for an aggregate of \$304,500 of which \$121,800 is allocable to AHLP and \$182,700 to AHDC to be funded respectively from each entity's loan proceeds made available at closing on January 31, 2017.

**RESOLUTION No.: 17-30**

**RE: APPROVAL TO SELECT JDC CONSTRUCTION COMPANY AS CONSTRUCTION MANAGER FOR THE RENOVATION OF ALEXANDER HOUSE APARTMENTS AND AUTHORIZATION TO EXECUTE CONTRACT**

**WHEREAS**, the Alexander House Development Corporation (the “Corporation”) is a wholly controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”), and Alexander House Apartments Limited Partnership (the “Partnership”) is a Low Income Housing Tax Credit entity created on July 7, 2016, with HOC as the general partner and the Corporation as the initial limited partner, and the two entities together (the “Owners”) own 40% and 60%, respectively of Alexander House Apartments; and

**WHEREAS**, the Alexander House Apartments (the “Development”) is located at 8560 Second Avenue, near the Silver Spring Metro Station, and was originally constructed in 1992 as a single sixteen-story building with 311 residential units, 203 parking spaces in a tri-level underground parking garage, management offices, maintenance and engineering rooms, as well as a common outdoor pool shared with Elizabeth House Apartments, the property adjacent to the north; and

**WHEREAS**, the Development is an important element of the redevelopment of Elizabeth Square; and

**WHEREAS**, on May 4, 2016, the Corporation approved the selection of CBP Constructors LLC as general contractor for the renovations of the Development; and

**WHEREAS**, on October 5, 2016, the Commission, acting on behalf of itself and for and on behalf of the Partnership, approved the final development plan for the Development with an estimated total development cost budget of \$120,194,570, approximately \$68,013,220 of which to be allocated to the Corporation’s portion and approximately \$52,181,350 to the Partnership’s portion; and

**WHEREAS**, on January 20, 2017, the Executive Director signed the general contractor contract with CBP Constructors LLC for \$25.3 million; and

**WHEREAS**, on January 31, 2017, Citi Community Capital provided construction loans to the Owners of Alexander House Apartments which allow the existing apartment building to be modernized and competitive in the downtown Silver Spring multifamily rental market; and

**WHEREAS**, on May 7, 2014, the Commission approved the creation of a pool of construction management professionals consisting of four firms to provide such services; and

**WHEREAS**, on May 4, 2016, the Commission approved two additional firms to be added to the construction management pool: Hess Construction and CBP Constructors; and

**WHEREAS**, to ensure the efficient and timely execution of the renovation plan, staff proposes the use of third-party construction management services to provide oversight of the redevelopment process to protect the Commission’s interests and to ensure the on-time delivery of the renovated units; and

**WHEREAS**, staff solicited pricing proposals to provide construction management services for the renovation of Alexander House Apartments from the construction management pool on January 6, 2017, and having reviewed those proposals recommends the selection of JDC Construction Company as construction manager for the renovation of the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and as general partner for and on behalf of Alexander House Apartments Limited Partnership (“AHLP”), that it hereby approves the selection of JDC Construction Company as Construction Manager for the renovation of Alexander House Apartments.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and for and on behalf of AHLP as its current general partner, authorizes the Executive Director to execute a construction management contract with JDC Construction Company for an amount not to exceed \$304,500, of which \$121,800 to be allocated to AHLP and \$182,700 to Alexander House Development Corporation, and funded from the respective construction loans proceeds made available on January 31, 2017 from Citi Community Capital.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County, acting for itself and for and on behalf of Alexander House Apartments Limited Partnership as its current general partner, that the Executive Director is authorized, without any further action on their respective parts, to take any and all other actions necessary and proper to carry out the transactions and actions contemplated herein including the execution of any documents related thereto.

**I HEREBY CERTIFY** that the foregoing resolution was approved by the Housing Opportunities Commission of Montgomery County, acting for itself and for and on behalf of Alexander House Apartments Limited Partnership as its current general partner, at an open meeting on May 3, 2017.

S  
E  
A  
L

---

Patrice M. Birdsong  
Special Assistant to the Board of  
Directors of the Corporation



# Legislative and Regulatory Committee

**AUTHORIZATION TO REVISE  
HOC'S ADMINISTRATIVE PLAN  
TO PROVIDE A PREFERENCE  
FOR FAMILIES WITH HISTORIES OF HOMELESSNESS**

**May 3, 2017**

- The Code of Federal Regulations (CFR) requires that Public Housing Agencies (PHAs) such as the Housing Opportunities Commission of Montgomery County (HOC) adopt written plans and policies that describe the federal regulations and establish the local policies for administration of the voucher programs of the given PHA. For the Housing Choice Voucher program, this governing document is termed the Administrative Plan.
  
- The CFR also requires that PHAs such as HOC revise their Administrative Plan as needed in order to comply with federal requirements. Optional changes unique to a specific PHA may also be added, provided that they do not conflict with the federal regulations.
  
- At this time, HOC has developed a proposed revision to its Administrative Plan as is consistent with the processes and procedures outlined in the CFR. The proposed revision would add a local preference to HOC's waiting list for up to 10 Housing Choice Vouchers to be allocated for families with histories of homelessness.
  
- A public comment period for this proposed revision began on April 3, 2017 and will conclude on May 3, 2017 with a public hearing at HOC's Kensington office.
  
- Staff is requesting authorization to make this proposed revision to HOC's Administrative Plan formally a part of this governing document.

**MEMORANDUM**

**TO:** Housing Opportunities Commission of Montgomery County

**VIA:** Stacy L. Spann, Executive Director

**FROM:** Staff: Fred Swan      Division: Resident Services      Ext. 9732  
Lynn Hayes                      Housing Resources      Ext: 9622  
Bonnie Hodge                    Housing Resources      Ext: 9525  
Ethan Cohen                      Compliance              Ext. 9764

**RE:** Authorization to Revise HOC’s Administrative Plan to Provide a Preference for Families with Histories of Homelessness

**DATE:** May 3, 2017

---

**STATUS:**      **Committee Report: Deliberation**        X  

---

**OVERALL GOAL & OBJECTIVE:**

To authorize the Executive Director, or his designee, to revise HOC’s Administrative Plan to provide a preference for up to 10 Housing Choice Vouchers to be allocated for families with histories of homelessness who are currently housed within the Montgomery County Homeless Continuum of Care.

---

**BACKGROUND:**

On September 2, 2015, the Housing Opportunities Commission of Montgomery County (HOC) approved Resolution 15-70: Authorization to Revise HOC’s Administrative Plan to Replace a Preference for Chronically Homeless and Medically Vulnerable Persons with a Preference for Homeless Veterans and Their Families with Respect to 10 Housing Choice Vouchers (HCV). This addition to HOC’s Administrative Plan provided a preference for the allocation of up to 10 vouchers for homeless veterans and their families in conjunction with the federal “Zero 2016 Campaign” and in partnership with Montgomery County and the Montgomery County Homeless Continuum of Care (CoC). The Montgomery County Homeless Continuum of Care (CoC) is a collaboration of public and private groups working to prevent and end homelessness in Montgomery County, Maryland. Support for the CoC’s efforts include federal, state, local and private funds.

Continuing its efforts to end homelessness in Montgomery County, the next phase of this larger effort to end homelessness is an initiative to end chronic homelessness by the end of calendar year 2017. Accordingly, the Montgomery County Government is again seeking HOC’s assistance with this initiative. To assist with this effort, Montgomery County has requested that HOC allocate up to 10 vouchers for families with histories of homelessness

who are currently housed within the Montgomery County Homeless CoC. These families have achieved stability and are, therefore, no longer in need of the supportive services that are currently provided by the programs in which they participate. By providing these families with vouchers, they will be able to fully integrate into the community with long-term housing assistance. As a result of these families exiting the CoC, approximately 12-15 new chronically homeless persons will be housed and provided the supportive services they need to transition into stable housing situations. In these ways, this allocation of vouchers will not only support Montgomery County's efforts to achieve the goal of ending chronic homelessness in the County prior to December 31, 2017 but will also support its efforts to end homelessness in the County altogether.

Importantly, new vouchers will not be allocated to HOC by HUD for this purpose nor will vouchers be taken from any existing HOC residents. Rather, the 10 vouchers that will be set aside by HOC for housing families with histories of homelessness will become available through attrition within HOC's existing voucher allocation and then held for this purpose.

The U.S. Department of Housing and Urban Development (HUD) provides the outline of basic policy and procedures for the administration of the Housing Choice Voucher (HCV) program in the Code of Federal Regulations (CFR) at 24 CFR Part 982, Subpart E. These sections of the CFR provide an initial outline for HCV program operations including topics such as eligibility for admission, application for admission, operation of the waiting list, establishment of preferences, subsidy standards, calculation of tenant payments, verification procedures, voucher issuance, contract execution, Housing Quality Standards, unit inspections, rent reasonableness, voucher payment standards, recertification processes, voucher portability, terminations, complaints, appeals, and all other major program policies and procedures for the voucher program.

Beyond the policies outlined in the CFR, Public Housing Authorities (PHA) are required to develop Agency-specific policies and procedures to flesh out the outlines provided in the CFR. These Agency-specific policies are to be written in the PHA's Administrative Plan as well. Importantly, at all times, Agency-specific policies must conform to the established rules and regulations in the CFR, fair housing and civil rights laws and regulations, and must result in consistent, non-discriminatory determinations on applicant eligibility, placement of applicants on the waiting list, and selection of applicants from the waiting list.

As part of the process for making revisions or additions to a PHA's Administrative Plan, public comment must be sought. Accordingly, HOC provided a 30-day public comment period which was concluded with a public hearing on this Administrative Plan revision. During the comment period, HOC made a draft of the proposed revision to the Administrative Plan available on HOC's website as well as in hard copy form at all four of the Agency's offices. Also during the comment period, HOC staff met and discussed this proposed revision with the HOC Resident Advisory Board (RAB), and received the RAB's endorsement on these proposed changes. Notice of the comment period and public hearing were also advertised in a local newspaper in Montgomery County.

---

**ISSUES FOR CONSIDERATION:**

Does the Housing Opportunities Commission of Montgomery County accept the recommendation of the Legislative and Regulatory Committee to authorize the Executive Director, or his designee, to revise HOC's Administrative Plan to provide a preference for up to 10 Housing Choice Vouchers to be allocated for families with histories of homelessness who are currently housed within the Montgomery County Homeless Continuum of Care?

---

**PRINCIPALS:**

Resident Services Division  
Housing Resources Division

---

**BUDGET IMPACT:**

None.

---

**TIME FRAME:**

The Legislative and Regulatory Committee reviewed this item at its meeting on March 21, 2017. For Commission action on May 3, 2017.

---

**STAFF RECOMMENDATION & COMMISSION ACTION NEEDED:**

Staff recommends that the Housing Opportunities Commission of Montgomery County accept the recommendation of the Legislative and Regulatory Committee to authorize the Executive Director, or his designee, to revise HOC's Administrative Plan to provide a preference for up to 10 Housing Choice Vouchers to be allocated for families with histories of homelessness who are currently housed within the Montgomery County Homeless Continuum of Care.

**RESOLUTION: 17-31**

**RE: Authorization to Revise HOC's  
Administrative Plan to Provide a  
Preference for Families with  
Histories of Homelessness**

**WHEREAS**, the Housing Opportunities Commission of Montgomery County must and desires to revise and make new additions to its Administrative Plan for the Housing Choice Voucher Program to add a local preference to HOC's waiting list for up to 10 Housing Choice Vouchers to be allocated for families with histories of homelessness; and

**WHEREAS**, a public comment period for these proposed revisions began on April 3, 2017 and concluded on May 3, 2017 with a public hearing.

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Opportunities Commission of Montgomery County that it approves and authorizes this revision and new addition to its Administrative Plan for the Housing Choice Voucher Program to add a local preference to HOC's waiting list for up to 10 Housing Choice Vouchers to be allocated for families with histories of homelessness.

**BE IT FURTHER RESOLVED** by the Housing Opportunities Commission of Montgomery County that the Executive Director is hereby authorized and directed, without any further action on its part, to take all actions necessary and proper to accomplish the activity contemplated herein.

**I HEREBY CERTIFY** that the forgoing resolution was adopted by the Housing Opportunities Commission of Montgomery County at a regular open meeting conducted on May 3, 2017.

S  
E  
A  
L

---

**Patrice Birdsong  
Special Assistant to the Commission**

Proposed Revisions to  
HOC's Administrative Plan for the Housing Choice Voucher Program

---

Please note: Existing language is in **BLACK** and proposed changes are in **RED**.

Chapter 4: Establishing Preferences and Maintaining the Waiting List

**F. LOCAL PREFERENCES** [24 CFR 5.410]

The PHA will offer public notice when changing its preference system and the notice will be publicized using the same guidelines as those for opening and closing the waiting list.

The PHA uses the following Local Preference system:

**First Local Preference** – Displacement: Families who are displaced as a result of a State or County redevelopment project, or a change in the nature of a project that is part of the County plan for maintaining affordable housing, and who are referred by the County Executive's Office. A signed certification from the County Executive's office is required for the family to qualify for this preference. [Two Points]

**Second Local Preference** – Residency preference for families who live, work, or have a bona fide offer to work in Montgomery County. To qualify for this preference, evidence is required either at the time of application or at the time of selection from the waiting list. HOC will treat graduates of, or active participants in, education or training programs in Montgomery County as residents of Montgomery County if the education or training program is designed to prepare individuals for the job market. To qualify and satisfy this preference, graduates must have graduated after the initial application for housing. [One Point]

**Third Local Preference** – HUD funded 2006 Main Stream Disabled (MSD) program; 15 units. [Two Points]

**Fourth Local Preference** – Veterans: Preference is given for ten (10) veterans and their families. The applicant must be at least 18 years old and a veteran.

HOC will verify the preference with a list of homeless veterans and their families provided by the Montgomery County Department of Health and Human Services (DHHS). [Three Points]

**Fifth Local Preference** – Families with Histories of Homelessness: Preference is given for ten (10) families with histories of homelessness who are currently housed within the Montgomery County Homeless Continuum of Care. The applicant must be at least 18 years old and have at least one minor child (under the age of 18) within the household.

**HOC will verify the preference by receiving direct referrals from the Montgomery County Department of Health and Human Services (DHHS). [Three Points]**

### **Treatment of Single Applicants**

Single applicants will be treated as any other eligible family on the waiting list for the tenant-based and project-based voucher waiting lists.



# Deliberation and/or Action

# Future Action

# Information Exchange

# New Business

# Executive Session Findings and/or Action

# Adjourn

# Alexander House Development Corporation



ALEXANDER HOUSE DEVELOPMENT CORPORATION

**APPROVAL TO SELECT JDC CONSTRUCTION COMPANY AS  
CONSTRUCTION MANAGER FOR THE RENOVATION OF  
ALEXANDER HOUSE APARTMENTS**

---



**STACY L. SPANN, EXECUTIVE DIRECTOR**

KAYRINE V. BROWN  
ZACHARY MARKS  
BRIAN KIM  
HYUNSUK CHOI

May 3, 2017

# Table of Contents

	<b>Page</b>
Executive Summary.....	3
Selection of General Contractor .....	4
Summary and Recommendations.....	5

# Executive Summary

- Alexander House Apartments (the “Property”) was originally constructed in 1992 and is located near the Silver Spring Metro Station. The Property is a 16-story building with a three-level underground parking garage. Prior to the start of renovation in January 2017, the building contained 311 units, 203 parking spaces, management offices, and maintenance and engineering rooms. The Property also shares a common outdoor pool with Elizabeth House Apartments, a Public Housing property located to the north that serves seniors of very low income.
- The approved development plan includes the sale of 40% of the units to a Low Income Housing Tax Credit limited partnership, to wit, the Property is now owned in part by a Alexander House Limited Partnership (“AHLP”) (122 affordable housing units) and by Alexander House Development Corporation (“AHDC”) (183 market rate units).
- On January 31, 2017, Alexander House Apartments closed on a construction loan transaction with Citi Community Capital. The closing allows the existing apartment building to be updated to be more competitive in the downtown Silver Spring multifamily rental market. The Executive Director signed the general contractor contract with CBP Constructors LLC for \$25.3 million.
- To ensure the efficient and timely execution of the renovation plan, staff proposes the use of third-party construction management services to provide oversight of the redevelopment process to protect the Commission’s interests and to ensure the on-time delivery of the renovated units.
- On May 7, 2014, the Commission approved the creation of a pool of construction management professionals consisting of four firms JDC Construction Company, LLC, Dewberry Consultants, LLC, CFI Construction Corp., Efficient Home, LLC to provide such services. On May 4, 2016, the Commission approved two additional firms to be added to the construction management pool: Hess Construction and CBP Constructors.
- All firms in the pool were determined to have submitted complete proposals and were evaluated based on the established qualification criteria which included construction management qualifications, experience with renovation or construction projects similar in scope to those typically undertaken by the Commission, price (hourly rate), experience with government agencies and housing authorities, construction management approach and references.
- Staff solicited pricing proposals for construction management services for the renovation of Alexander House Apartments from firms in the construction management pool on January 6, 2017 and recommends that the Board of Alexander House Development Corporation accept the recommendation of the Development & Finance Committee which met on April 19, 2017 to select JDC Construction Company as construction manager for the renovation of the Property.
- Staff further recommends approval for the Executive Director to execute a contract with JDC for \$304,500 for construction management services with costs allocated pro rata to AHLP (\$121,800) and to ALDC (\$182,700). The cost will be funded from each entity’s respective construction financing proceeds made available at the closing on January 31, 2017.

# Selection of Construction Manager

Three (3) respondents submitted pricing proposals on January 6, 2017. Based on price, staff recommends the selection JDC Construction Company, LLC as construction manager for the renovation of the Property.

JDC Construction is currently providing construction management services to HOC for its VPC renovations scheduled to finish in July 2017 and for its Waverly House renovations due to be complete by September 2017.

RANK	Construction Manager	Total Amount	Affordable Units 40% of Total Fees	Market Units 60% of Total Fees	Per Month (21 Months) *
1	JDC Construction	\$304,500	\$121,800	\$182,700	\$14,500
2	CFI Construction Corp.	\$381,455	\$152,582	\$228,873	\$18,165
3	Hess Builders	\$495,000	\$198,000	\$297,000	\$23,571

\* 18 Months Renovation and 3 Months Close Out.

## Firm Experience

- **JDC Construction** has substantial residential experience with performing the full scope of Construction Manager responsibilities and experience with government work including Section 3. Its team has experience with renovation of high-rise multifamily apartments in the Washington DC Metropolitan area.
- Experience with HOC projects.
  1. VPC: Renovation of scattered site units (Projected completion end of July 2017)
  2. Waverly House: High-rise multifamily apartments (Projected completion end of September 2017)
  3. CCL: New construction of high-rise multifamily apartments (Projected to be completed in September 2019)
  4. 900 Thayer: Pre-construction service for six months
- **CFI Construction Corp.** is a full service General Contractor specializing in public and private new construction projects, renovations, and property maintenance. They have completed a variety of small and mid-sized renovations.
- Experience with HOC projects.
  1. RAD 6: Renovation of six properties with 268 units (Completed November 2016)
  2. Tobytown: Exterior site improvements (Completed January 2017)
  3. Arcola Towers: High-rise multifamily apartments (Projected completion end of June 2017)
- **Hess Builders** is a full service General Contractor specializing in universities, research and development facilities, training centers, primary and secondary schools, fine arts spaces, and athletic facilities located throughout the Mid-Atlantic region as well as construction management.
- It is not currently working on any HOC projects.

May 3, 2017



# Summary and Recommendations

## Issues for Consideration

Does the Board of Directors of Alexander House Development Corporation (“AHDC”) wish to approve the selection of JDC Construction Company as Construction Manager for the renovation of Alexander House Apartments on behalf of AHDC?

Does the Board of Directors of AHDC authorize the Executive Director to execute a contract with JDC for an aggregate of \$304,500 of which \$182,700 is allocable to Alexander House Development Corporation?

## Time Frame

Action at the May 3, 2017 meeting of Alexander House Development Corporation.

## Budget Impact

There is no adverse impact for the Agency’s FY 2017 or FY 2018 operating budgets.

## Staff Recommendation and Commission Action Needed

HOC staff recommends that the Board of Directors of Alexander House Development Corporation approve the selection of JDC Construction Company as Construction Manager for the renovation of Alexander House Apartments on behalf of AHDC.

Staff further recommends the Board of Directors of AHDC’s authorization for the Executive Director to execute a contract with JDC for an aggregate of \$304,500 of which \$182,700 is allocable to AHDC and \$121,800 to AHLP to be funded respectively from each entity’s loan proceeds made available at closing on January 31, 2017.

ALEXANDER HOUSE DEVELOPMENT CORPORATION

**RESOLUTION No.: 17-001<sub>AH</sub>**

**RE: Approval to Select JDC Construction Company as Construction Manager for the Renovation of Alexander House Apartments and Authorization to Negotiate and Execute Contract**

**WHEREAS**, the Alexander House Development Corporation (the “Corporation”) is a wholly controlled corporate instrumentality of the Housing Opportunities Commission of Montgomery County (“HOC” or “Commission”), and Alexander House Apartments Limited Partnership (the “Partnership”) is a Low Income Housing Tax Credit entity created on July 7, 2016, with HOC as the general partner and the Corporation as the initial limited partner, and the two entities together (the “Owners”) own 40% and 60%, respectively, of Alexander House Apartments; and

**WHEREAS**, the Alexander House Apartments (the “Development”) is located at 8560 Second Avenue, near the Silver Spring Metro Station, and was originally constructed in 1992 as a single sixteen-story building with 311 residential units, 203 parking spaces in a tri-level underground parking garage, management offices, maintenance and engineering rooms, as well as a common outdoor pool shared with Elizabeth House Apartments, the property adjacent to the north; and

**WHEREAS**, the Development is an important element of the redevelopment of Elizabeth Square; and

**WHEREAS**, on May 4, 2016, the Corporation approved the selection of CBP Constructors LLC as general contractor for the renovations of the Development; and

**WHEREAS**, on October 5, 2016, the Commission, acting on behalf of itself and for and on behalf of the Partnership, approved the final development plan for the Development with an estimated total development cost budget of \$120,194,570, approximately \$68,013,220 of which to be allocated to the Corporation’s portion and approximately \$52,181,350 to the Partnership’s portion; and

**WHEREAS**, on January 20, 2017, the Executive Director signed the general contractor contract with CBP Constructors LLC for \$25.3 million; and

**WHEREAS**, on January 31, 2017, Citi Community Capital provided construction loans to the Owners of Alexander House Apartments which allow the existing apartment building to be modernized and competitive in the downtown Silver Spring multifamily rental market; and

**WHEREAS**, on May 7, 2014, the Commission approved the creation of a pool of construction management professionals consisting of four firms to provide such services; and

ALEXANDER HOUSE DEVELOPMENT CORPORATION

**WHEREAS**, on May 4, 2016, the Commission approved two additional firms to be added to the construction management pool: Hess Construction and CBP Constructors; and

**WHEREAS**, to ensure the efficient and timely execution of the renovation plan, staff proposes the use of third-party construction management services to provide oversight of the redevelopment process to protect the Commission's interests and to ensure the on-time delivery of the renovated units; and

**WHEREAS**, staff solicited pricing proposals to provide construction management services for the renovation of Alexander House Apartments from the construction management pool on January 6, 2017, and having reviewed those proposals recommends the selection of JDC Construction Company as construction manager for the renovation of the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the Alexander House Development Corporation that it hereby approves the selection of JDC Construction Company as Construction Manager for the renovation of Alexander House Apartments.

**BE IT FURTHER RESOLVED** by the Alexander House Development Corporation, that HOC's Executive Director, as Secretary of the Alexander House Development Corporation, is authorized to execute a construction management contract with JDC Construction Company for an amount not to exceed \$304,500, of which \$182,700 is to be allocated to Alexander House Development Corporation and \$121,800 to Alexander House Apartments Limited Partnership, to be funded from the respective construction loans proceeds made available on January 31, 2017 from Citi Community Capital.

**BE IT FURTHER RESOLVED** by the Alexander House Development Corporation that the Executive Director is authorized, without any further action on their respective parts, to take any and all other actions necessary and proper to carry out the transactions and actions contemplated herein including the execution of any documents related thereto.

**I HEREBY CERTIFY** that the foregoing resolution was approved by the Board of Directors of Alexander House Development Corporation at an open meeting on May 3, 2017.

S  
E  
A  
L

---

Patrice M. Birdsong  
Special Assistant to the Board of  
Directors of the Corporation

Adjourn