

### **Tab 16 Development Team Experience**

Applicants/General Partners must certify the development team members identified in the Application intend to participate in the development and outline their experience. This information must be detailed on the Experience Certifications. Do not submit additional information, including individual resumes, unless requested by Agency staff. Certifications may not be dated prior to 60 days before the Application submission deadline. If the Applicant/General Partner or Management Agent is requesting consideration for experience in states other than Pennsylvania, confirmation from the appropriate State Housing Agency must be submitted as part of the requirements of this exhibit. The Agency will not recognize experience in other states unless executed confirmation is submitted.

#### **Applicant/General Partner**

For the Applicant/General Partner to be deemed to have **sufficient minimum experience**, at least one development must be a Tax Credit development that has been **issued** an IRS Form 8609. All other developments listed for consideration of the Applicant/General Partner experience must be both completed and occupied. In general, a development must have a minimum of ten units to qualify for experience. If an Applicant/General partner has experience in developing three or more developments of under ten units, this may evidence sufficient experience. If there is more than one Applicant/General partner, a separate form must be completed for each.

In order to determine the **capacity** of the Applicant/General Partner, a **complete listing** of developments owned, managed or under construction is required. The Agency will consider the total project cost and number of developments owned, managed and that are/will be under construction to determine the Applicant's/General Partner's capacity to develop additional projects. Additionally, the Agency reserves the right to review the supporting documentation, including annual audited financial statements, to evaluate Applicant/General Partner's financial capacity.

The certification forms listing all of the developments will also be used to determine the total number of **Tax Credit** projects eligible for points in the Development Team section of the Selection Criteria. Use as many sheets as necessary to provide a complete listing. The list must include the Tax Credit number to verify eligibility as a Tax Credit project.

#### **Housing Consultant**

An experienced housing consultant (consulted on three or more developments that received a reservation of Tax Credits) in lieu of an experienced Applicant/General Partner may meet the threshold requirement for experience. The housing consultant must complete and submit the same documentation required for the general partner. **The Housing Consultant must also provide a copy of the Housing Consultant Contract which includes services performed from Application through Cost Certification. Applicants must certify if they are/are not working with a Housing Consultant. (see certification included in this tab)**

### **Management Agent Requirements**

**A Certification of Management Agent Experience form is required for all applications.** A management agent must have demonstrated sufficient experience and be in good standing to be approved by the Agency to directly manage a property. A complete listing of **ALL** projects managed must be submitted specifically indicating the number of Tax Credit units. This complete listing of projects managed will be used to determine the total number of **Tax Credit** units eligible for points in the Development Team section of the Selection Criteria. Use as many sheets as necessary to provide a complete listing. The list must include the Tax Credit number to verify eligibility as Tax Credit units.

Agent must have:

- Directly and successfully managed at least two (2) tax credit properties for two (2) full years.
- Administered all management functions for the properties.
  - The Agent's actual on-site management staff is required to have this experience, or the Agency will require the Agent to contract with a Mentor/Partner.
- Applicable program-specific certifications including Tax Credit and Fair Housing certifications.
- Completed the Certification of Management Agent Experience.
- A Pennsylvania Real Estate Broker's License pursuant to the Real Estate Licensing and Registration Act (RELRA). If the Agent does not have a real estate broker's license, an attorney's opinion letter must be provided detailing how the agent qualifies to manage the property absent a broker's license (in compliance with RELRA).

If the Agent does not have the required experience, they must contract with a Mentor/Partner or Consultant depending on the experience that is lacking.

The Mentor / Partner must:

- Oversee and train their staff on program compliance and property management functions until two (2) full years of experience is achieved.
- Meet all experience requirements described above and be approved by the Agency;
- Be the Agent of Record both in practice and on Management Agreements;
- Sign a Memorandum of Understanding (MOU) or signed contract detailing specific job duties with the mentor/partner must be submitted with the attached certification. No Mentor/Partner payments may be made from project operations other than from the Agency-approved management fee.

Agents who do not have the required tax credit experience, but have directly and successfully administered all management functions for at least two (2) properties for two (2) full years must contract with a Consultant to oversee all tax credit compliance functions.

- The Consultant must:
  - Be used ONLY for tax credit compliance oversight functions;
  - Not be considered to be an approved management agent;
  - Complete the Certification of Housing Management Consulting Experience;
  - Submit proof of Tax Credit certifications.
  - Sign a Memorandum of Understanding (MOU) or signed contract detailing specific job duties with the contracted Consultant must be submitted with the attached certification. No Consultant payments may be made from project operations other than from the Agency-approved management fee.

### **General Contractor/Architects**

The general contractor, design architect and contract administration architect will be evaluated based upon their experience in the type and size of the proposed development. Previous experience must include the name and location of the developments, the number of units and the date completed. The General Contractor must also have bonding capability. The Bonding company must have an “A” rating or better and provide a Performance Bond and a Payment Bond, each in the amount of 100% of the Construction Contract Sum, or an unconditional and irrevocable letter of credit in the amount of 25% of the contract sum. **(Required on all applications)**. A General Contractor Experience Certification and an Architect Experience Certification must be completed. If experience is not with the Agency, provide the name(s) and telephone number(s) of person(s) to contact to confirm the information provided in these forms. If the general contractor is not determined at the time of Application, selection must be made and the qualifications submitted and approved by the Agency with the carryover allocation documents, but no later than the review of the 10% reasonable basis test.

All Applicants must also include a completed “Contractor’s Qualification Statement” (AIA Document A305) which must include current audited financial statements, a list of key personnel and a list of developments constructed within the last five years. An “Architect’s Qualification Statement” (AIA Document B305) is required **IF** the Architect has no previous experience with the Agency.

### **Attorney**

For the attorney to be deemed to have sufficient experience, it must have had provided counsel on at least three (3) Tax Credit developments.

### **Joint Venture with MBE/WBE/VBE/SDVB**

An Applicant may qualify for points if they have a Joint venture with a Small Diverse Business or a Veteran Business Enterprise in the development team, as verified by the Bureau of Diversity Inclusion and Small Business Opportunities of the Pennsylvania Department of General Services, or a qualified small business. A qualified small business is a real estate development company which meets the following criteria: 1) actively engaged in development activity for at least 3 years; 2) has participated in at least three (3) development projects in some capacity; and 3) has been involved in the development of no more than 500 units of housing. A non-profit entity is eligible to receive points as an Owner/Developer and/or Management Agent if a minimum of fifty-one percent (51%) of the members of their board are minorities, women or veterans as evidenced as a requirement in the non-profit's By Laws. Furthermore, the Agency encourages business opportunities for new or underutilized small diverse businesses in the development team.

To receive points, the Joint-Venture must fit the following definition; "A joint venture is a combination of two or more parties that collectively together will develop the project, sharing the workload, the risks, the ownership, and the profits / developer fee associates with the development. Only one entity will be considered and scored as an Owner/Developer. (See Selection Criteria for further information.)

### **MBE/WBE/VBE/DBE Participation**

The Agency may award up to fifteen (15) points for material participation in the development team by a Small Diverse Business or a Veteran Business Enterprise which meets eligibility criteria of the all-inclusive Small Diverse Business Program ("SBD") operated by the Department of General Services, or a qualified small business that meets the definition above in Section D.1.f To be verified as a SBD by the Department of General Services, the SBD must:

1. already hold and/or obtain a diverse business certificate (for one of the populations listed on the Department of General Services website) from one or more third-party certifiers recognized by the Commonwealth of PA and upload the certificate into the Commonwealth's portal. A certification /verification checklist and a list of third-party certifiers can be located at the following link: [Small Business Certification and Small Diverse Business and Veteran Business Enterprise Verification Checklist \(pa.gov\)](#).
2. Once the diverse certificate is obtained, the SBD can then apply to the Department of General Services to obtain the "Small" Diverse Business Certificate.

Multiple entities will be considered.

Each professional services provider will be evaluated separately for points. No points will be awarded for the general contractor if a bid process will be required.

Sub-contractors can be combined to qualify for points, however a sub-contractor who performs multiple jobs under the same entity, will only be eligible for points once.

The Agency understands that not all entities may be contracted with at the time of application. Since the Agency is encouraging participation on many levels, we will allow TBD Sub-Contractor/Vendor entities for consideration.

If the Supportive Service provider is the same as the qualifying MBE/WBE/VBE Owner/Developer or Management Agent, points will not be awarded for Supportive Services under Professional Services