AN ORDINANCE TO AUTHORIZE AND APPROVE FOUR ONE-YEAR EXTENSIONS OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF WILMINGTON AND NORTHEAST AND BUCKS COMPANY T/A MULLIN AND LONERGAN ASSOCIATES, INC.

#0136

Sponsor:

Council Member Cabrera WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City entered into a one-year professional services agreement with Northeast and Bucks Company t/a Mullin and Lonergan Associates, Inc. to assist the Department of Real Estate and Housing with various matters, including, but not limited to, the preparation of the City's five-year consolidated plan, the City's annual action plans, and the administration of the City's CDBG, HOME, ESG, and HOPWA programs (the "Agreement"), a copy of which, in substantial form, is attached hereto and incorporated by reference herein as Exhibit "A"; and

WHEREAS, the term of the Agreement is for the period from December 1, 2024 through November 30, 2025 at an estimated price of One Hundred Forty Thousand Dollars (\$140,000.00), with the possibility of four (4) extensions of one (1) year thereafter at an estimated price of Eighty Thousand Dollars (\$80,000.00) per year; and

WHEREAS, it is the recommendation of the Department of Real Estate and Housing that City Council authorize the City to exercise the options to extend the Contract for four (4) additional one-year periods; and

WHEREAS, City Council deems it necessary and appropriate to authorize the City to exercise the options to extend the Contract for four (4) additional one-year periods.

# NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. The four (4) one-year extension options to the Agreement (being the Professional Services Agreement between the City of Wilmington and Northeast and Bucks Company t/a Mullin and Lonergan Associates, Inc.), a copy of which Agreement, in substantial form, is attached hereto as Exhibit "A", at an estimated price of Eighty Thousand Dollars (\$80,000.00) per extension, are hereby approved, and the Mayor, or his designee, is hereby authorized to exercise the City's options, as well as to take all additional undertakings related thereto as may be necessary.

**SECTION 2.** This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

Second Reading November 6, 202 Third Reading	25
Passed by City Council,	
President of City Council	8
ATTEST:	
City Clerk	

First Reading..... November 6, 2025

Approved this day of	, 2025	
Mayor		

**SYNOPSIS:** This Ordinance authorizes the City to exercise four (4) one-year extension options for a professional services agreement with Northeast and Bucks Company t/a Mullin and Lonergan Associates, Inc. to assist the Department of Real Estate and Housing with various matters, including, but not limited to, the preparation of the City's five-year consolidated plan, the City's annual action plans, and the administration of the City's CDBG, HOME, ESG, and HOPWA programs.

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is four (4) one-year contract extensions at an estimated price of Eighty Thousand Dollars (\$80,000.00) per extension.

W0130363

# **EXHIBIT** A

# PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF WILMINGTON AND

# NORTHEAST AND BUCKS COMPANY T/A MULLIN AND LONERGAN ASSOCIATES, INC.

This Professional Services Agreement (this "Agreement") is made and entered into this day of 100 2025, to be effective as of December 1, 2024 (the "Effective Date"), by and between the City of Wilmington, a municipal corporation of the State of Delaware (the "City"), and Northeast and Bucks Company t/a Mullin and Lonergan Associates, Inc. (the "Consultant," and together with the City, the "Parties").

WHEREAS, the City desires to obtain the Consultant's services to assist the City's Department of Real Estate & Housing with various matters, including, but not limited to, the preparation of the City's five-year consolidated plan, the City's annual action plan, and the administration of the City's CDBG, HOME, ESG, and HOPWA programs; and

WHEREAS, the Consultant has agreed to provide the aforementioned professional services to the City.

NOW, THEREFORE, WITNESSETH that the City and the Consultant, in connection with the mutual promises made below and with the intent to be legally bound, agree as follows:

1. <u>Scope of Services.</u> The Consultant shall provide to the City the professional services that are described in Exhibit "A" to this Agreement, which is attached hereto and incorporated herein.

#### Initial Term; Renewal Options.

- a. <u>Initial Term.</u> The initial term of this Agreement shall be for the period from the Effective Date through November 30, 2025 (the "<u>Initial Term</u>"), unless otherwise terminated sooner in accordance with Section 16 of this Agreement.
- b. <u>Renewal Options</u>. After the completion of the Initial Term, the City, at is sole discretion, shall have the option to extend this Agreement for up to four (4) additional periods of one (1) year each (each, a "<u>Renewal Option</u>"). If exercised by the City, the first Renewal Option would be for the period from December 1, 2025 through November 30, 2026, the second Renewal Option would be for the period from December 1, 2026 through November 30, 2027, the third Renewal Option would be for the period from December 1, 2027 through November 30, 2028, and the fourth Renewal Option would be for the period from December 1, 2028 through November 30, 2029.

#### Compensation.

a. <u>Initial Term.</u> The total amount payable by the City to the Consultant for services rendered under this Agreement during the Initial Term shall not exceed One Hundred Forty

Thousand Dollars (\$140,000.00) unless mutually agreed upon by the Parties in a written amendment to this Agreement.

- b. <u>Renewal Options</u>. If the City chooses to exercise any and/or all of the Renewal Options, the total amount payable by the City to the Consultant for each Renewal Option shall not exceed Eighty Thousand Dollars (\$80,000.00) unless mutually agreed upon by the Parties in a written amendment to this Agreement.
- c. <u>Invoices</u>. The City shall make payments for the Consultant's services within thirty (30) days of receipt of undisputed invoices for the services.
- 4. <u>Benefits.</u> The City shall not provide the Consultant with any employment-related benefits, including, but not limited to, health and other insurance.
- 5. <u>Taxes.</u> It shall be the sole responsibility of the Consultant to pay all taxes in accordance with federal, state, and City tax laws, if applicable. In addition, the Consultant shall withhold, if applicable, City of Wilmington wage taxes from the compensation of its officers, agents, and employees as required by the City of Wilmington wage tax law.
- 6. <u>Indemnification.</u> The Consultant shall defend, indemnify, and hold harmless the City, its employees, agents, and officers, from and against all claims, damages, actions, liabilities, and expenses, including reasonable attorneys' fees, resulting from the acts or omissions of the Consultant, its employees, agents, or subcontractors, in performing the services required under this Agreement.
- 7. <u>Insurance Coverage</u>. The Consultant shall provide insurance coverage for itself and all of its employees, if any, used in connection with this Agreement as follows: workers' compensation as required by law and commercial general liability coverage for personal injury, including death, and property damage in the minimum amount of One Million Dollars (\$1,000,000.00). Such policies shall be issued by a financially sound carrier and/or carriers and shall be subject to the reasonable approval of the City. The Consultant shall provide the City with a certificate of insurance evidencing the above-stated coverage and naming the City as an additional insured with respect to the commercial general liability coverage.
- 8. <u>Use of Subcontractors.</u> The Consultant may only use qualified consultants, subconsultants, or subcontractors to perform the services required under this Agreement upon the approval of the City.
- 9. <u>Discrimination and Harassment.</u> In the performance of this Agreement, the Parties agree that they shall not discriminate or harass, or permit discrimination or harassment, against any person because of age, sex, marital status, race, religion, color, national origin, or sexual orientation.
- 10. Records. The Consultant shall maintain accounts and records, including personnel, property, and financial records, adequate to identify and account for all costs pertaining to this Agreement and such other records as may be deemed necessary by the City to assure proper accounting for all project funds. Such records shall be made available for audit purposes to the City or its authorized representatives upon request.

- 11. Reports and Information. The Consultant, at such time and in such form as the City may require, shall furnish the City such reports as the City may request pertaining to the work or services undertaken pursuant to this Agreement.
- 12. <u>Findings Confidential.</u> All of the drawings, plans, designs, reports, analyses, specifications, information, examinations, proposals, illustrations, copies, maps, graphics, slides, and documents prepared, assembled, drafted, or generated by the Consultant under this Agreement are to be treated by the Consultant as confidential, and the Consultant agrees that such documents shall not be made available to anyone, without the prior written approval of the City.
- Ownership of Information. All of the drawings, plans, designs, reports, analyses, specifications, information, examinations, proposals, brochures, illustrations, copies, maps, graphics, slides, and documents prepared, assembled, drafted, or generated by the Consultant in connection with this Agreement shall become the exclusive property of the City for use by the City as the City deems appropriate. The Consultant may keep copies of such documents for its records. Any reuse of the documents without the Consultant's written consent shall be at user's risk and responsibility.
- 14. <u>Business License.</u> The Consultant shall obtain all appropriate business licenses, including, but not limited to, a business license from the City of Wilmington Department of Finance.
- 15. <u>Independent Contractor.</u> The Consultant (and its employees and agents) is an independent contractor and not an employee or agent of the City.
- 16. <u>Termination</u>. Either Party may terminate this Agreement with ten (10) business days' advance written notice for any reason or for no reason. In the event of termination, the City shall pay the Consultant any fees then due for services performed by the Consultant through the effective date of termination, if such services have been performed as specified in this Agreement, and the Consultant shall deliver to the City any deliverables, reports, or other documents related to such services.
- 17. <u>No Oral Modifications.</u> This Agreement may only be modified or amended by an instrument in writing duly executed by the Parties.
- 18. <u>Severability.</u> This Agreement is intended to be performed in accordance with and only to the extent permitted by all applicable laws, ordinances, rules, and regulations. If any provision of this Agreement thereof to any person or circumstance shall for any reason and to any extent be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.
- 19. <u>Compliance with Laws.</u> The Consultant, in providing the services specified in this Agreement, shall comply with all federal, state, and local laws, rules, and regulations.
- 20. <u>Notices.</u> Any notice which is required or may be given in connection with this Agreement shall be addressed to the Parties as follows:

The City:
Robert L. Weir
City of Wilmington
Department of Real Estate and Housing
800 N. French Street, 7th Floor
Wilmington, DE 19801

The Consultant:
Willian P. Wasielewski
Mullin and Lonergan Associates, Inc.
2 Kacey Court
Mechanicsburg, PA 17066

- 21. Applicable Law and Dispute Resolution. The laws of the State of Delaware shall govern this Agreement. All disputes in connection with this Agreement shall be resolved by a court of competent jurisdiction located in New Castle County, Delaware. The Consultant agrees to submit exclusively to the jurisdiction and venue of said court.
- 22. <u>Execution</u>. The Parties acknowledge that the individuals signing this Agreement have full authority to execute this Agreement on behalf of their respective Party and to bind their respective Party to all the terms, performances, and provisions contained therein.
- 23. <u>Successor and Assigns.</u> This Agreement, and all the terms and provisions hereof, shall be binding upon and shall inure to the benefit of the City and the Consultant, and their respective successors and assigns.
- 24. System and Organization Control Reports. The Consultant shall maintain and upon request provide to the City any and all System and Organization Control Reports (also known as Service Organization Control Reports) ("SOC Reports") the Consultant has acquired that are related to the Consultant's business. The City shall treat all SOC Reports as confidential information and shall not disclose any SOC Report to a third party, except that disclosure shall be permitted to the City's internal and external auditors, attorneys, and other advisers. Notwithstanding the foregoing, if the City receives a request under the Delaware Freedom of Information Act ("FOIA") for documents that include a SOC Report, the City shall promptly notify the Consultant of the request and provide the City Law Department's opinion on whether disclosure of the SOC Report is required. If the City Law Department determines that disclosure of the SOC Report is required pursuant to FOIA, the City shall be free to disclose the SOC Report in accordance with the deadline set forth by FOIA.
- 25. <u>Signed Counterparts.</u> This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same instrument.

[signature page follows]

IN WITNESS WHEREOF, the Parties have entered into this Agreement the day and year first written above to be effective as of the Effective Date.

**WITNESS** 

NORTHEAST AND **BUCKS** COMPANY T/A MULLIN AND LONERGAN ASSOCIATES, INC.

By: William Wasielewski
William P. Wasielewski

President

CITY OF WILMINGTON

Robert L. Weir, Director

Department of Real Estate and

Housing

W0127328

#### **EXHIBIT A**

(Scope of Services)

# City of Wilmington, DE Housing and Community Development Consulting Services Proposal

September 23, 2024





## **Table of Contents**

ntroduction to Our Firm	4
Overview of M&L	., 4
Proposed Methodology	. 5
Proposed Approach: Community Development and Planning	5
8. Preparation of Analysis of Impediments to Fair Housing or similar requirement as required by HUD.	5
9. Provide general consulting and advisory services throughout the term of the contract relative to management practices and authorized and desirable activities to implement, continue, and enhance the community development programs. This includes informing and advising the City about federal and state policies and programs, and changes thereto	6
10. Assist the City in applying for Section 108 Loan Guarantee assistance, HUD designations, and other forms of State and Federal assistance	6
Proposed Approach: Five Year Consolidated Plan/Annual Action Plan	7
Proposed Approach: Technical Assistance	. 17
Proposed Approach: Environmental Review Record	. 17
Proposed Approach: Consolidated Annual Performance and Evaluation Report (CAPER)	. 19
Qualifications of M&L	. 21
Client References	44
Key Personnel	46
Time Commitment	. 51
Offeror's Stability	52
Firm Designation	53
Basis for Compensation	54
Appendix A – CDBG & HOME Client List	56

## Transmittal Letter

September 20, 2024

Mr. Robert Weir, Director Department of Real Estate and Housing City of Wilmington Louis L. Redding City County Building 800 N. French Street Wilmington, DE 19801

Submitted via email to: realestatehousing@wilmingtonde.gov

RE: Proposal in Response to RFP for Housing and Community Development Consulting Services

Dear Mr. Weir:

Mullin & Lonergan Associates is pleased to submit a copy of its proposal to provide Housing and Community Development Consulting Services to the City of Wilmington. M&L has a long history of providing these services to the City. In fact, we have worked with the City for the last eight years.

We believe our firm can provide a very high level of technical support to City staff that is over and above the traditional CDBG/HOME/HOME ARP/ESG/HOPWA services listed in the RFP and described in our proposal. Using our skilled planners and technical staff, please note the following:

- Our team can continue to assist the City with the implementation of its HOME ARP Plan.
- Assistance in implementing its CDBG, HOME, HOPWA and ESG funding.
- Assistance in preparing the City's Consolidated Plan, Annual Action Plan, Assessment of Fair Housing/AI, CAPER, and Environmental Review.
- Continue to provide a high level of technical assistance related to the City's federal funding programs.

We look forward to continuing our relationship with the City. Should you require additional information, please advise.

Sincerely,

William Wasielewski

Willem P. Warrel\_

President

### Introduction to Our Firm

#### **Overview of M&L**

Mullin & Lonergan Associates is a housing and community development consulting firm with offices in Pittsburgh and Mechanicsburg, PA. Formed in 1965, Mullin & Lonergan was consolidated into Northeast & Bucks Company in 1979. Although the legal name of our firm is Northeast & Bucks Company, we use the trade name of Mullin & Lonergan Associates because of the goodwill and recognition that we have built with our clients and within our industry for more than 50 years. To our clients, the firm is known simply as "M&L."

Our clients include local units of government (boroughs, townships, cities, counties, states), HUD CDBG entitlements, HOME PJs, Continuums of Care, public housing authorities, nonprofit organizations, planning agencies, state housing finance agencies, and economic development organizations. We are members of the National Association of Housing and Redevelopment Officials (NAHRO) and the Pennsylvania Association of Housing and Redevelopment Authorities (PAHRA). M&L meets the definition of a small business with a workforce comprised of 18 employees. These include housing specialists, community planners (several of whom are AICP certified), local government specialists, data analysts, and finance specialists.

For the purposes of all matters relating to this proposal, M&L's contact person and Principal-in-Charge is Bill Wasielewski.

Contact: Bill Wasielewski, President

billw@mandl.net

Name of Company: Northeast and Bucks Company T/A

Mullin & Lonergan Associates, Inc.

www.mandl.net

Address of Office where 800 Vinial Street, Suite B-414

Work will be Performed: Pittsburgh, PA 15212

**Phone:** (412) 323-1950

## **Proposed Methodology**

For each of the specific documents required in the City's RFP, we have included a detailed scope below. For all other assignments (such as grant applications, special planning initiatives such as NRSAs, etc.), we will provide a scope at the request of the City.

# Proposed Approach: Community Development and Planning

Based on the specifications published in the RFP and our experiences with comparable assignments, M&L offers the following Proposed Approach for your consideration.

#### **Community Development and Planning**

#### M&L will:

- 1. Assist the City in preparing its Five (5) Year Consolidated Plan and/or its annual Action Plan for submission to HUD. This includes all aspects of preparation from developing a statement of proposed objectives and a proposed budget, to research for the planning portions, to completion of a final document for submission which meets all statutory and regulatory requirements.
- 2. Assist the City staff in preparing the Environmental Review Record for annual community development activities.
- 3. Preparation of Amendments including publication, notices which inform the public of the City's Community Development program and invite public comment and participation in accordance with statutory and regulatory requirements.
- 4. Attendance at public hearings, City Council meetings and/or staff meetings to present or discuss the CDBG, HOME, HOPWA and ESG Programs.
- 5. Assist the City in designing and implementing economic development leveraging programs with CDBG funds.
- 6. Assist City staff in preparing Annual Consolidated Annual Performance and Evaluation Report (CAPER) Document.
- 7. Provide Community Development Planning Assistance, if requested, to the City or its subrecipients. Such services would include:
  - a) Planning in support of tax incremental financing districts.
  - b) Site specific development strategies, neighborhood improvement strategies and preliminary feasibility analyses.
  - c) Technical assistance and preparation of submission for designation of Neighborhood Revitalization Strategy Areas (NRSAs).
- 8. Preparation of Analysis of Impediments to Fair Housing or similar requirement as required by HUD.

- Provide general consulting and advisory services throughout the term of the contract relative to management practices and authorized and desirable activities to implement, continue, and enhance the community development programs. This includes informing and advising the City about federal and state policies and programs, and changes thereto.
- 10. Assist the City in applying for Section 108 Loan Guarantee assistance, HUD designations, and other forms of State and Federal assistance.

#### Affordable Housing

#### M&L will:

- 1. Assist the City to prepare the annual submission to HUD for entitlement CDBG, HOME, HOPWA and ESG funds (i.e., Consolidated Plan, Annual Action Plan, etc.).
- 2. Assist the City staff in preparing the Environmental Review Record for the annual CDBG, HOME and ESG Programs.
- 3. Assist the City in the designation and utilization of Community Housing Development Organizations.
- 4. Assist the City in matters pertaining to the eligibility of CDBG, HOME, HOPWA and ESG funded activities.
- 5. Assist the City in identifying and applying for alternate forms of housing assistance, including:
  - a) Federal Home Loan Bank
  - b) Low Income Housing Tax Credits
  - c) HUD Housing programs
- 6. Assist the City in structuring HOME-assisted projects, including those activities that involve private or non-profit development entities.
- 7. Provision of underwriting and layering analyses for rental and homebuyer programs.
- 8. Assist the City in preparing written agreements with subrecipients and CHDOs.
- 9. Provision of real estate syndication services.
- 10. Assist the City staff in evaluating proposals from private sector, non-profit and CHDO developers, owners and sponsors.
- 11. Assist the City in establishing operational guidelines for new CDBG, HOME, HOPWA and ESG funded initiatives.
- 12. Provision of project or site strategies and preliminary market/feasibility studies.

# Proposed Approach: Five Year Consolidated Plan/Annual Action Plan

## Based on the specifications published in the RFP, M&L will provide the following services related to the preparation of the Five-Year CP/AAP:

M&L will assist the city with preparing its next Five-Year Consolidated Plan for submission to HUD on or before the deadline as directed by HUD. The Consolidated Plan will be prepared in a manner that incorporates HUD's eCon Planning Suite in IDIS. In preparing this document, we will be guided by the latest update of the Part 91, Subpart D regulatory requirements; the current version of the *Desk Guide for Using IDIS to Prepare the Consolidated Plan, Annual Action Plan, and CAPER*, our general background and experience in preparing Consolidated Plans; and, the city's CP planning procedures that have worked well in the past. Towards that end, we offer this work plan as a suggested approach to the assignment. We are prepared to adjust the work plan based on input from the city. The outreach tasks will be conducted jointly for the Consolidated Plan and the Annual Action Plan.

#### Task 1. Review of Citizen Participation Plan

We will review the city's CPP for any revisions that may be needed and provide suggested recommendations. This is a requirement as part of the Consolidated Planning process.

#### Task 2. Project Mobilization

#### **Development of Detailed Schedule**

M&L will work with city staff to finalize a detailed calendar to complete the two documents and meet all HUD deadlines.

#### Initial Project Planning with City Staff

This task involves a series of initial organizational steps that will ensure the timely execution of subsequent tasks. We will begin by providing a Stakeholder Chart to staff that includes a list of stakeholder categories with whom consultations will be conducted.

#### Identification of Stakeholders

At the outset of the planning process, M&L will refine the list of stakeholders whose input would be sought during the preparation of the Consolidated Plan and AAP. We will work with staff to identify key stakeholders consisting of public and private entities whose input can assist in generating a comprehensive planning document. The manner in which outreach to stakeholders will be conducted will be refined prior to beginning the planning process. The list of stakeholders will include those recommended by HUD.

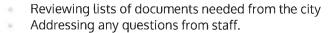
#### Finalize Planning for Stakeholder Outreach

Once the general approach to the outreach and consultation process is established, M&L will prepare a suggested Interview Schedule. We would require the assistance of staff in contacting stakeholders and sending out email invites.

#### Participation in Initial Meeting with City Staff

The purposes of the initial meeting with staff include:

- Improving upon the process and the end-product
- Reviewing a series of draft maps and data tables to identify racially/ethnically concentrated areas of poverty across the city



#### Task 3. Community Engagement Plan

#### Conduct Six Stakeholder Group Interviews

Based on the stakeholders identified by staff, M&L will utilize a list of issues and questions to be addressed during each group interview. After each consultation, we will prepare a written summary of the issues discussed and information exchanged. We have found that presenting a brief overview of key demographic and housing trends is an excellent way to engage stakeholders and the public in most settings. Our presentation, titled "Here's What We Know", is the icebreaker for encouraging attendees to fill in the rest and "Tell Us What Else We Need to Know". We encourage them to offer solutions for addressing affordable housing, and community development needs.

#### Design and Implement a Web-based Survey

M&L will provide City staff for review a draft survey instrument appropriate for identifying affordable housing and community development needs. The survey would be hosted on Survey Monkey and launched before outreach initiatives are underway to maximize marketing efforts. The surveys will be tabulated and analyzed for incorporation into the CP and AAP.

#### Facilitation of up to three Public Meetings

M&L will facilitate up to three hybrid (in-person and virtural) public meetings. Two public meetings will be conducted early in the process; the final meeting will be facilitated toward the end of the 30-day public display period or shortly thereafter. M&L staff work with staff to identify the best ways to reach out to minority groups and other community residents who are less likely to participate in the planning process.

#### Implementation and Documentation of the Community Outreach Process

Throughout the process, M&L will document the initiatives and results to incorporate into the Consolidated Plan.

#### Task 4. Needs Assessment

The Consolidated Plan will describe the estimated housing needs and needs for supportive services projected for the next five years. Housing data will reflect consultations conducted with housing provider agencies, nonprofit organizations, and social service agencies (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and homeless persons) that provide assisted housing, health services and social services.

#### **Categories of Persons Affected**

- The need for assistance for extremely low income, very low income, low-income, and moderate-income families, for renters and owners, elderly persons, large families and persons with disabilities. The description of housing needs will also include a discussion of the degree of cost burden and severe cost burden, overcrowding (especially for large families), and substandard housing conditions being experienced by extremely low income, very low income, low income and moderate-income renters and owners compared to the city as a whole.
- To the extent that any racial or ethnic group is identified to have a disproportionately greater need in comparison to the needs of that category of household as a whole, an assessment of that specific housing need will be included.

#### **Public Housing Residents**

The needs of current public housing and Housing Choice Voucher households, as well as families on the waiting lists for units and vouchers.

#### **Homeless Needs**

The nature and extent of homelessness using HMIS and the most recent Point-in-Time count from the regional Continuum of Care. The Consolidated Plan will include an estimate of the special needs of various categories of families and individuals who are chronically homeless or are threatened with homelessness (such as persons with mental illness or with substance abuse problems) and a description of the nature and extent of homelessness by racial and ethnic group, to the extent that information is available.

#### Non-Homeless Special Needs

The level of housing need for persons who are not homeless but require supportive housing, including the elderly, frail elderly, persons with disabilities, persons with substance addiction, persons with HIV/AIDS and their families, public housing residents, and other categories that may be appropriate.

#### **Non-Housing Community Development Needs**

 A concise summary of the city's priority non-housing community development needs, including public facilities, public improvements, public services and other eligible uses of CDBG funding.

#### **Task 5. Market Analysis**

#### General Characteristics

 The significant characteristics of the local housing market, including such aspects as the supply, demand, condition and cost of housing, including lead-based paint hazards, including identification of any areas of concentration of minority persons and LMI residents in the city.

#### **Lead-Based Paint Hazards**

 Estimate the number of housing units that may potentially contain lead-based paint hazards and are occupied by LMI families with children based on data obtained from the State Department of Public Health.

#### **Public Housing**

Description of the number of units, the physical condition of these units, the restoration and revitalization needs, and strategies for improving the living environment of low and very low-income families residing in them.

#### **Assisted Housing**

Description of the number and targeting (by income and type of family) of units currently assisted by public funds and an assessment of whether any such units are expected to be lost from the local inventory, including expiring Section 8 contracts.

#### **Homeless Facilities**



 Brief inventory of facilities and services that meet the emergency shelter, transitional housing, permanent supportive housing and permanent housing needs of homeless persons made available from the Continuum of Care.

#### **Special Need Facilities and Services**

Description of the housing stock available to persons with disabilities and other LMI persons with special needs, including persons with HIV/AIDS and their families. We will describe the facilities and services that assist persons who are not homeless but who require supportive housing and supportive programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing.

#### Barriers to Affordable Housing

Explanation of whether the cost of housing or the incentives to develop, maintain, or improve affordable housing in the city are affected by local public policies.

#### **Non-Housing Community Development Needs**

A concise summary of the priority non-housing community development needs that are eligible for assistance. Local plans will be reviewed for relevant information.

#### Task 6. Strategic Plan

M&L will prepare the Strategic Plan in accordance with 24 CFR Part 91.215. Where appropriate, relevant information from other local plans will be incorporated and referenced.

#### **General Characteristics**

Based on input received through outreach efforts and the data analysis, M&L will define priority needs. For each of the priority needs identified, the plan will include:

- The reasons for the choice of priority needs, describing the choice in terms of housing need (income, tenure, housing problems) and identifying obstacles for addressing the underserved needs
- The specific objectives with each objective identifying the key goals in quantitative terms along with numeric and other measurable indicators of progress and a target date for completion, and
- A description of the resource allocation geographically and among different activities.

#### Resources

- Description of the full range of federal and other resources that are available to assist the city in meeting its housing and community development needs.
  - Federal Resources expected federal resources to be available to address the needs identified within the Consolidated Plan.
  - Other Resources resources from private and non-federal public sources that are reasonably expected to be available to address the needs. The Consolidated Plan will include an explanation of how federal resources will leverage additional resources, including a description of how matching requirements of HUD programs will be satisfied.

#### Institutional Structure



 Description of the strategy to overcome the gaps in the institutional structure for carrying out its strategy for addressing its priority needs. Information collected through stakeholder outreach will be used to develop this section.

#### Goals

Summaries of the objectives the city intends to initiate and/or complete during the fiveyear period. For each objective, the Consolidated Plan will identify proposed accomplishments and quantitative outcomes, as provided in the IDIS Goal Outcome Indicators (GOI).

#### Barriers to Affordable Housing

 Description of the strategy to remove or ameliorate negative effects of public policies that serve as barriers to affordable housing.

#### **Homelessness Strategy**

The plan will include a description of the strategy for identifying resources to be used for the following based on stakeholder outreach and other organizational and community plans:

- Helping low-income families avoid homelessness.
- Reaching out to homeless persons and assessing their individual needs
- Addressing the emergency shelter and transitional housing needs of homeless persons, and
- Helping homeless persons make the transition to permanent housing and independent living.

#### **Lead-Based Paint Hazards**

 Actions proposed or being taken to evaluate and reduce lead-based paint hazards, and a description of how lead-based paint hazard reduction will be integrated into housing policies and programs.

#### **Anti-Poverty Strategy**

Description of the city's goals, programs, and policies for reducing the number of poverty level households and how the goals, programs and policies for producing and preserving affordable housing will be coordinated with other programs and services for which the city is responsible and the extent to which they will reduce or assist in reducing the number of households with incomes below the poverty line. How these initiatives will be coordinated with other programs will be concisely summarized.

#### Monitoring

Description of the standards and procedures which the city uses to monitor activities to be carried out in furtherance of the Consolidated Plan. The current Monitoring Plan will be reviewed with staff and serves as the basis for this section.

#### Certifications

Current certifications required by HUD.

#### Task 8. Complete Consolidated Plan Document

M&L will provide a complete draft of the Consolidated Plan to staff. This version will include the Executive Summary (ES) and Process (PR) sections.

#### Task 9. Annual Action Plan

Once the Consolidated Plan and the local application process are completed, we will initiate the Annual Plan.

#### **Expected Resources**

A concise summary of the federal resources expected to be available including grant funds, anticipated program income, and other resources such as private and non-federal public sources that are reasonably expected to be available to carry out the Strategic Plan over the course of the program year. M&L will explain how federal funds will leverage these additional resources.

#### **Annual Goals and Objectives**

A summary of the specific goals the city intends to initiate and/or complete within the program year.

#### **Allocation Priorities**

The city's allocation priorities and how the proposed distribution of funds will address the priority needs and goals of the Strategic Plan.

#### Method of Distribution

 Description of the criteria used to select grant applications, the relative importance of these criteria, how resources will be allocated among funding categories, threshold factors and grant size limits, and outcome measurements expected as a result of the method of distribution.

#### **Projects**

Preparation of the Proposed Project Pages

#### **Geographic Distribution**

Generate a series of GIS maps to indicate geographically how the city will provide direct assistance to LMI and minority concentrated areas during the program year.

#### Affordable Housing

Specify goals for the number of homeless, non-homeless, and special needs households to be provided affordable housing within the program year, indicate the number of affordable housing units that will be provided by program type, including rental assistance, production of new units, rehabilitation of existing units, or acquisition of existing units.

#### **Homeless and Other Special Needs Activities**

One-year goals and the specific action steps to be undertaken in the program year to carry out the homeless strategy outlined in SP-60 Homelessness Strategy. The Annual Plan will also describe the one-year goals and specify the activities to be undertaken to serve the housing and supportive service needs of non-homeless populations who require supportive housing.

#### **Barriers to Affordable Housing**

Planned actions to remove or ameliorate the negative effects of local policies that serve as barriers to affordable housing.

#### **Other Actions**

Planned actions to carry out the strategies outlined in the Consolidated Plan relative to fostering and maintaining affordable housing, evaluating and reducing lead-based paint hazards, reducing the number of poverty-level families, developing institutional structure, enhancing coordination and identifying obstacles to meeting underserved needs and propose actions to overcome those obstacles.

#### **Program-Specific Requirements**

The method of distribution, including all selection criteria for funding, how CDBG, HOME and ESG resources will be allocated among funding categories, the threshold factors and grant limits to be applied.

#### Task 10. Revisions to Annual Action Plan

Based on feedback, M&L will revise the draft Annual Plan and prepare the document for public display.

#### **Task 11. Public Comment Period & Public Hearing**

Once the revised planning documents are provided to the city for the public comment period, M&L will initiate the IDIS entry process. Following the comment period, we will collaborate with staff to address comments received and incorporate them into the final documents as required.

#### Task 12. Submission to HUD & Deliverables

Electronic submission of the Consolidated Plan and the Annual Plan documents to HUD in IDIS will occur on or before the deadline as directed by HUD. Final deliverables to the city will include all electronic files and a copy of the final version submitted to HUD.

#### Task 13. Technical Support during HUD's Review

M&L will remain available to the city throughout the 45-day HUD review period for the Consolidated Plan and Annual Action Plan. We will assist in responding to any HUD questions that may arise relative to these two documents.

#### **Analysis of Impediments to Fair Housing Choice**

For its clients, M&L prepares a new AI or updates an existing AI or AFH using the HUD 1996 Fair Housing Planning Guide based on HUD guidance at the time of contracting.

#### Task 1. Data Analysis

We will search for key housing and demographic indicators that help to paint the picture of fair housing in Wilmington. We will use the most recent census data available at the census tract level in preparing this analysis. We will graphically illustrate trends and conditions with maps and tables.

M&L will analyze the population by race and ethnicity, noting racially and ethnically concentrated areas of poverty (R/ECAPs) and compare these to the ones identified in the previous Al. Variables such as income, poverty, unemployment, female-headed households, people with disabilities,

foreign-born persons, and other protected classes will be analyzed to the extent that reliable data is available.

We will analyze the local housing stock in terms of tenure, level of accessibility, vacancy status, median value, and rents. We will analyze and compare the affordability of housing, both rental and sales, for minority households. Specifically, we will identify the relative presence, location, and geographic concentration of members of the protected classes. We will identify patterns of housing segregation using the dissimilarity index.

This task will include data analysis and mapping to illustrate the Communities of Opportunity model. Six indices will be analyzed: prosperity, labor market engagement, job access, mobility, school proficiency and community health. Each dimension includes a collection of variables describing conditions for each census tract:

- Prosperity includes rates of family poverty and the receipt of public assistance (cash
  welfare, such as Temporary Assistance to Needy Families) to capture the magnitude of a
  given neighborhood's rate of poverty.
- Labor Market Engagement measures the level of employment, labor force participation, and educational attainment in each neighborhood to describe its local human capital.
- Job Access gives each census tract a score based on distance to all job locations, weighing larger employment centers more heavily. The distance from any single job location is positively weighed by the number of job opportunities at that location and inversely weighed by the labor supply (competition) of the location.
- Mobility is calculated based on commute times and the percentage of people who travel to work via public transit.
- School Proficiency uses the results of the Adequate Yearly Progress (AYP) test by elementary, middle, and high school students as a proxy for educational quality. Rates of proficient scores for all grades for both the reading and math exams are combined into one overall score for each school district.
- Community Health for a given tract was calculated as a function of the number of residents without health insurance and low food access ranking by the USDA.

#### **Task 2. Public Sector Policy Analysis**

As the AI is primarily a policy analysis document, much of the information related to describing past trends and current conditions, as well as contributing factors to fair housing issues, will be found in local government policies. We will review the following documents:

- **CDBG, HOME, ESG and HOPWA Program Investments** − We will review the local application processes and project selection criteria to determine how AFFH factors are considered in funding decisions. We will inquire about efforts to inform and educate subrecipients about AFFH responsibilities. We will analyze fair housing monitoring efforts as well as procedures for sanctioning sub-recipients that fail to AFFH. We will review any restrictions placed on entitlement programs by HUD and progress in achieving compliance.
- Comprehensive Plan Documents We will review the Wilmington's most current Comprehensive Plan and review how it:



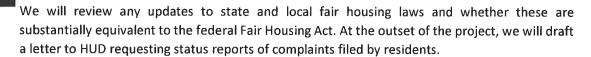
- Advocates for affordable housing opportunities outside areas of concentration of LMI minorities
- Promotes integrative principles for the purpose of de-segregating areas of concentration of LMI minorities
- Facilitates initiatives that address the elimination of poverty as an impediment to fair housing choice, and
- Includes fair housing policies in long-range planning documents. Specifically, we will look for strong connections between where lower income neighborhoods are located in relation to public transportation services and employment centers.
- Zoning Risk Assessment We will review the municipal zoning ordinance and map to determine if it restricts or expands housing choice based on factors included in HUD's Fair Housing Planning Guide.
- Local Building Codes We will research how accessibility measures are enforced through state and local codes, and the degree to which design and construction standards for new multi-family developments continue to be enforced.
- Anti-Displacement Plan We will review the Wilmington's Anti-Displacement and Relocation Plan to determine how these impact members of the protected classes when economic pressures are exerted in lower income neighborhoods for redevelopment and revitalization initiatives.
- Public Transit –We will determine the extent to which public transit links R/ECAPs with higher opportunity areas. We will review long-term transportation plans and the degree to which housing-employment linkages are considered and proposed.
- Housing Authority(s) We will analyze occupancy and waiting list characteristics for public housing and Housing Choice Vouchers to determine the relative presence of members of the protected classes.

Assisted Housing Location Patterns — We will analyze the geographic distribution of affordable housing including public housing, Housing Choice Vouchers, project-based Section 8 Housing Choice Vouchers, Low Income Housing Tax Credit-financed developments, and other assisted housing relative to their location and/or concentration in R/ECAPs.

Immigrants and Persons with Limited English Proficiency – We will review administrative actions that influence housing and housing related services for immigrants and persons with limited English language proficiency. We will conduct the four-factor analysis (required for the Language Access Plan) to assess the level of persons with limited English proficiency who reside in the county and may quality for services.

#### Task 3. Evaluation of Local Fair Housing Profile

M&L will define the function of the agencies involved in the day-to-day process of responding to fair housing questions and complaints from county residents. We will explore how members of the protected classes become aware of the existence and function of fair housing organizations serving them. This will involve an assessment of outreach and communication efforts, including informational programming offered by the participating entities and any fair housing advocacy organizations. We will review the results of any testing that has taken place in the City and other specific enforcement actions that may have resulted from paired testing.



#### Task 4. Evaluation of Progress Achieved since the last Al

We will work with staff to review the progress that the City has achieved since the last AI. For this assessment, we will review the fair housing action plan and identify measures taken to implement the plan. In carrying out this task, we will request assistance from staff and review recent CAPERs. The significance of carrying out this step is twofold: to determine which impediments remain and would need to be addressed in the AI update. For those impediments that have been resolved, or where significant progress has been made, this will be documented. Second, for those impediments that remain, we can re-visit the recommendations to evaluate if different initiatives would be more appropriate.

#### Task 5. Summary of Impediments

Based on the results of our data analysis, the community outreach initiatives and the policy analysis, we will prepare a description of issues that constitute impediments to fair housing choice in Wilmington.

#### **Task 6. Fair Housing Action Plan**

The Fair Housing Action Plan will recommend a series of actions aimed at overcoming barriers to housing choice and expanding housing choice for members of the protected classes throughout the city. The plan will correspond directly with impediments identified in the AI and will emphasize executable goals and strategic actions that are within the capacity of the city to implement.

#### Task 7. Draft Al Document

M&L will provide a Draft AI that includes the research performed in Tasks 1 through 6.

#### Task 18. Final Al Document

In this step, we will incorporate comments and revisions provided by staff. M&L will provide the final document version in Word and Adobe PDF to be placed on public display along with the CP and AAP documents.

#### **Assistance Required from Staff**

During the preparation of the Consolidated Planning and AI documents, M&L will require assistance from staff for the following tasks:

- Identifying and inviting community stakeholders to group interviews (M&L will provide the language for the email invite)
- Publishing all public notices as required (M&L can provide draft notices)
- Posting and distributing notices and other alerts to encourage community participation (M&L will provide flyers, email communications, FAQ Sheets, etc.)
- Providing for any language translation (other than Spanish) and all language interpretation needed at stakeholder workshops or public meetings (M&L can provide English and Spanish versions of meeting agendas, handouts, FAQs, and the online survey)

- Providing copies of/links to relevant documents and other reference materials needed (M&L will provide a list of documents needed)
- Submitting IDIS Access Form to HUD on behalf of M&L (M&L will provide the form and forward to staff for completion and submission to HUD)
- Timely review and comment on all draft documents provided by M&L
- Placing the final Consolidated Plan and Annual Plan documents on city council agenda for consideration and action

Note: If the City wishes to use M&L to prepare subsequent Annual Action Plans, the scope will be the same as the scope shown for the Annual Action Plan in the Five Year Consolidated Plan scope of services as shown above.

#### **Proposed Approach: Technical Assistance**

M&L will provide the City with on-going technical assistance related to the implementation of the City's Community Development programs including, but not limited to, CDBG, HOME, HOME ARP, HOWPA, HOME ARP, ESG, CDBG CV and ESG CV. Some examples of the types of services that could be provided include:

- o M&L will assist the City staff in preparing the Environmental Review Record for the annual CDBG, HOME, HOME ARP, HOPWA and ESG Programs. Please see detailed scope of services for the preparation of the ERR on the next page.
- M&L will assist the City in the designation and utilization of Community Housing Development Organizations.
- M&L will assist the City in matters pertaining to the eligibility of CDBG, HOME, HOME
   ARP and ESG funded activities.
- Assistance related to CDBG CV and ESG CV
- M&L will assist the City in identifying and applying for alternate forms of housing assistance, including:
  - Federal Home Loan Bank
  - Low Income Housing Tax Credits
  - HUD Housing programs
- M&L will assist the City in structuring HOME-assisted projects, including those activities that involve private or non-profit development entities.
- M&L will provide underwriting and layering analyses for rental and homebuyer programs.
- M&L will assist the City in preparing written agreements with subrecipients and CHDOs.
- o M&L will provide of real estate syndication services.
- o M&L will assist the City staff in evaluating proposals from private sector, non-profit and CHDO developers, owners and sponsors.
- M&L will assist the City in establishing operational guidelines for new CDBG, HOME and ESG funded initiatives.
- M&L will provide project or site strategies and preliminary market/feasibility studies.
- Other related technical assistance as needed.

#### **Proposed Approach: Environmental Review Record**

M&L assist the City with the preparation of the required ERRs for the City in the following manner:



- Determine the range of CDBG/HOME/ESG activities that require environmental clearance and prepare a schedule of tasks that will result in HUD's environmental release of funds.
- 2. Classify project activities (i.e., as exempt, categorically excluded, or requiring an assessment) and documenting these classifications via citations from Part 58.
- 3. Determine the applicability of the various laws and authorities listed in Part 58.5 historic properties, floodplains, wetlands, endangered species, noise, hazardous materials, farmlands protection, etc. We will research online databases and/or prepare consultation letters with the appropriate agencies regarding these laws and regulations. Our work includes preparing correspondence and all supporting documentation required by these agencies. Any required noise assessment will be charged under the hourly rate portion of the contract. Agencies to be consulted, where appropriate, include:
  - a. Floodplain Maps: FEMA Flood Map Service Center at https://msc.fema.gov/portal/search
  - b. Road Maps: <a href="https://deldot.maps.arcgis.com/">https://deldot.maps.arcgis.com/</a>
  - c. Railroad Locations: http://safetydata.fra.dot.gov/Office of Safety/Default.aspx
  - d. Airport Locations: <a href="https://www.gcrl.com/5010web/">www.gcrl.com/5010web/</a>
  - e. Contaminants and Toxic Substances: www.epa.gov/nepa/nepassist
  - f. Explosives and Flammables: https://den.dnrec.delaware.gov
  - g. Historic Properties: Coordination with COW Historic Preservation Officer and/or letter to DE State Historic Preservation Office.
  - h. Tribal Reservations: Letter to affected Tribe(s).
- 4. Assist in preparing supporting documentation for the ERR, including memorandums of agreement, HABS reports and other historic preservation compliance measures for annual community development activities.
- 5. Prepare written environmental assessments as required.
- 6. Undertake special environmental clearance studies or reports (e.g., historic recordations, etc.) as required.
- 7. Determine which project activities require submissions of requests for release of funds and securing such releases on a multi-year basis to minimize the City's environmental review responsibilities in subsequent years.
- 8. Prepare tentative schedules for publications of notices and releases of funds.
- 9. Prepare notices (e.g., floodplain, intent to request a release of funds, finding of no significant impact, etc.) as required for publication or posting.
- 10. Prepare all HUD forms required to secure releases of fund.
- 11. Prepare written environmental review records (ERR) that contain all environmental review documents, public notices and written determinations or environmental findings required by Part 58 to provide evidence of review, decision making and actions pertaining to project activities.
- 12. Assist in the preparation of the ERR in HUD's new HEROS once it becomes fully operational and required by HUD, if appropriate within the timeframe of this contract.

# Proposed Approach: Consolidated Annual Performance and Evaluation Report (CAPER)

M&L would assist the City in the preparation of the annual CAPER documents in the following manner:

- 1. Prepare a summary assessment of how activities undertaken during the previous year address the objectives identified in the Consolidated Plan.
- 2. Identify actions taken during the previous year to affirmatively further fair housing.
- 3. Prepare a summary evaluation of progress made in meeting specific objectives to provide affordable housing, including the number of low- and moderate-income renter and owner households that were assisted during the previous year and the number of households assisted with housing that meets the Section 215 definition of affordable housing. This evaluation will include a comparison of actual accomplishments versus proposed goals, efforts to address "worst case needs", and the needs of persons with disabilities.
- 4. Prepare a summary of actions taken during the previous year to implement a Continuum of Care strategy for the homeless, near homeless, and the special needs of persons who are homeless but require supportive housing
- 5. Identify and prepare a summary evaluation of actions taken during the previous year that address obstacles to meeting underserved needs, foster and maintain affordable housing, eliminate barriers to affordable housing, overcome gaps in institutional structures and enhance coordination, improve public housing and resident initiatives, evaluate and reduce lead based paint hazards, ensure compliance with program and comprehensive planning requirements, and reduce the number of persons living below the poverty level.
- 6. Describe progress made during the previous year toward leveraging public and private funds that address the needs identified in the action plan, including how many matching requirements were satisfied.
- 7. Prepare a summary of citizen comments received during the previous year concerning the CDBG, HOME, HOPWA and ESG programs.
- 8. Prepare an evaluation of how well the CDBG, HOME, HOPWA and ESG activities undertaken in the previous year addressed the priority needs and objectives in the Five Year Consolidated Plan and the Annual Action Plan. Identify adjustments and improvements that need to be made to the City's strategies to better meet the respective programmatic goals.
- 9. Prepare an assessment of the relationship of the use of CDBG, HOME, HOPWA and ESG funds to the priorities, needs, goals, and specific objectives identified in the Five Year Consolidated Plan, including an analysis of the extent to which program funds were distributed among different categories of housing needs.
- 10. Describe the nature of and reasons for any changes in CDBG, HOME and ESG program objectives and indications as to how the City will change its program based on program history.



- 11. Prepare an analysis that shows that, in the previous year, the City pursued all resources that it said it would pursue, provided certifications for consistency as pledged, and did not hinder implementation of the Five Year Consolidated Plan.
- 12. If applicable, prepare an explanation for why the City did not use CDBG funds exclusively for the three national objectives, or did not comply with the overall benefit certification.
- 13. If any activities undertaken during the previous year involved acquisition, rehabilitation, or demolition of occupied real property, prepare a narrative that describes the steps taken to minimize displacement, the steps taken to identify displacement that is subject to the provisions of the Uniform Relocation Act or Section 104 (d) of the 1974 Community Development Act and how such provisions were implemented, and the steps taken to ensure the timely issuance of information notices to displaced parties.
- 14. Submit the CAPER in the required eCon Planning Suite for IDIS.
- 15. Provide draft public notices for publication in local newspapers of general circulation for the required 15-day public display and comment period in accordance with the City's Citizen Participation Plan and statutory and regulatory requirements.
- 16. Make requested revisions and finalize the document in IDIS before the City submits the CAPER annually to HUD within 90 days of the end of each program year's start date.
- 17. If IDIS clean-up is required before the CAPER can be initiated, and this service is requested by the City, then the pre-CAPER clean-up will be invoiced separately from the CAPER preparation and under the hourly rate portion of the contract.

M&L ensures that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, national origin, disability, or familial status and the Housing and Community Development Act of 1974, as amended,

In addition, M&L agrees to comply with the terms and conditions of the following:

- Federal Uniform Requirements of 2 CFR Part 200
- Title 3 of the Intergovernmental Cooperation Act of 1968 as amended.
- Section 109 of the Housing Act of 1972; Title VI and other applicable provisions of the Civil Rights Act of 1964
- The Fair Housing Act as amended.
- CDBG Program regulations on Conflict of Interest
- Federal staff and auditor's access to records
- Executive Order 11246, Equal Opportunity
- Davis-Bacon Act and related Federal Labor Standards
- The Department of Labor Equal Opportunity Clause (41 CFR 60-1.4)
- Executive Order 11625 (utilization of female business enterprise) and Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act of 1990.

## Qualifications of M&L

M&L's understanding of the scope of required services is based on the in-depth experience of our professional staff working in all aspects of HUD's CPD programs, including the Community Development Block Grant program (including CDBG-DR and CDBG-CV), the HOME Investment Partnerships Program, the Emergency Solutions Grant program, Housing Opportunities for Persons with AIDS programs, NSP, HOME ARP. Our team members have experience at every level in these programs: administration, IDIS management, program and project management, technical assistance, practical application, and at the consulting level. Since 2020, we've been providing technical assistance to communities receiving CDBG-CV and ESG CV funds and US Treasury Emergency Rental Assistance Program funds to respond to the COVID crisis. In 2022/23, we began assisting HOME PJ clients with the development of their HOME-ARP Allocation Plans. M&L prepared a total of 25 HOME ARP plans for our client communities. All of which were approved by HUD.

Significant achievements of our firm include the preparation of:

- Five-Year Consolidated Plans and Annual Action Plans for more than 100 grantees representing 24 separate HUD offices.
- More than 100 Analysis of Impediments to Fair Housing Choice and Assessment of Fair Housing documents
- More than 100 CAPER documents for grantees, PJs and HOME Consortia
- More than 250 Environmental Review Records that meet federal regulatory standards for CDBG, CDBG-CV and CDBG-DR grantees, PJs and public housing authorities.

During the last three years, M&L provided the following services to the City of Wilmington:

- Preparation of various ERRs
- Preparation of AAPs
- Preparation of CAPERs
- Preparation of ERRs
- Provision of CDBG, HOME and ESG technical services.
- Technical Assistance for CDBG CV and ESG CV
- Preparation of the City's HOME ARP Allocation Plan

**Appendix A** includes a list of M&L's HUD CPD clients.

#### **Consolidated Plans & Annual Action Plans**

M&L has prepared Five-Year Consolidated Plans for more than 100 grantees representing 24 separate HUD offices. Our in-depth experience with consolidated planning enables M&L to devise practical housing strategies for addressing current and future affordable housing demand. Our deep familiarity with the CDBG and HOME Programs enables us to develop recommendations for investment strategies that focus on striking a balance between revitalizing opportunity-poor neighborhoods and creating new affordable housing in opportunity-rich areas

A full list of our completed Consolidated Plans is included on the following page. The extent of our Consolidated Planning clients demonstrates our ability to prepare these documents to a broad range of clients, and in several cases, to the same clients in successive five-year cycles.

				-	-
NEW YORK		SAN ANTONIO		PITTSBURGH	
New Rochelle, NY	77,062	Bexar County, TX	430,000	Allegheny County, PA	897,394
Yonkers, NY	195,979	Round Rock, TX	112,840	Beaver County, PA*	181,412
OMAHA		Williamson County, TX	422,679	Erie, PA*	103,717
State of Iowa	3,090,416	ATLANTA		Johnstown, PA*	23,906
Iowa City, IA	62,220	Columbus/Muskogee County, GA	189,885	McKeesport, PA	19,728
Sioux City, IA	82,831	Henry County, GA	217,739	Millcreek Township, PA*	52,121
Waterloo/Cedar Falls, IA*	107,742	BALTIMORE		Pittsburgh, PA	306,878
PHILADELPHIA		Annapolis, MD	35,838	Washington County, PA*	202,897
Abington Township, PA	55,310	Bowie, MD	58,227	Westmoreland County, PA*	369,993
Allentown, PA	120,443	Hagerstown, MD*	39,766	RALEIGH	
Bensalem Township, PA*	60,427	BUFFALO		Burlington, NC	52,709
Berks County, PA	373,638	Amherst/Cheektowaga/Tonawanda, NY	284,159	Cumberland County, NC	119973
Bucks County, PA	621,643	Buffalo, NY	261,310	Fayetteville, NC	195,234
Carlisle, PA	19,162	Erie County, NY	380,068	High Point, NC	104,596
Chester, PA	33,988	Hamburg, NY	56,936	RICHMOND	
Cumberland County, PA	241,242	Rochester, NY	210,624	Hampton, VA	137,448
Dauphin County, PA	251,798	CHICAGO		Harrisonburg, VA*	48,914
New Castle County, DE	556,779	McHenry County, IL	308,760	Lynchburg, VA	75,568
Norristown, PA	34,370	Oak Park, IL	52,524	Waynesboro, VA	21,064
Reading, PA	87,575	COLUMBUS		NEWARK	
Williamsport, PA*	30,706	Dayton/Kettering, OH	197,723	Atlantic City, NJ*	39,416
Wilmington, DE	71,442	Springfield, OH	60,573	Atlantic County, NJ*	213,136
York, PA*	40,220	Youngstown, OH	66,909	Bloomfield, NJ	47,683
Delaware County, PA	552,126	DENVER		Camden County, NJ	443,139
Easton, PA	26,263	Colorado Springs, CO	416,427	Jersey City, NJ	240,055
Hazleton, PA*	23,329	Rapid City, SD	68,667	Morris County, NJ	446,212
Lehigh County, PA	312,090	FORT WORTH		Ocean City, NJ*	15,378
Lower Merion Township, PA	59,850	Waco, TX	125,420	Parsippany-Troy Hills, NJ	53,515
Montgomery County, PA*	750,097	JACKSONVILLE		Passaic County, NJ*	505,672
KANSAS CITY		Brevard County, FL	578,088	Paterson, NJ	146,484
State of Kansas	2,907,000			Wayne Township, NJ	55,049
Wyandotte Co/Kansas City, KS	163,369				

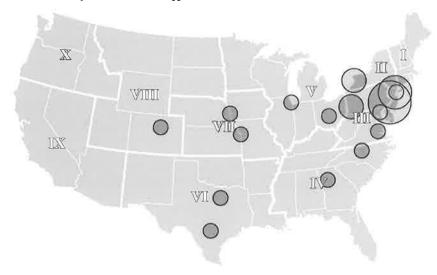
<sup>\*</sup> Denotes more than one Consolidated Plan prepared for the client

# Analyses of Impediments to Fair Housing Choice Fair Housing Planning

With the publication of the Interim Final Rule on June 10, 2021, HUD issued new guidance on a grantee's obligation to affirmatively further fair housing. Specifically, the IFR "does not require HUD grantees to participate in a fair housing planning process." However, because grantees remain obligated to certify annually that they are affirmatively furthering fair housing, preparing a fair housing planning document remains the best method for documenting a grantee's analysis and research to demonstrate that it is fulfilling its AFFH obligation. HUD further expanded its guidance to state that grantees "may choose to continue to engage in familiar fair housing planning processes such as continuing to implement a completed AI or AFFH, updating an existing AI or AFH, or conducting a new AI or AFH. Grantees may also choose to engage in other means of fair housing planning that meaningfully supports their certification."

*M&L's fair housing planning experience is extensive and nationally recognized.* Since 2004, our firm has prepared more than 100 Analyses of Impediments to Fair Housing Choice. Overall, our experience has sharpened our skills at analyzing affordable housing through a fair housing lens with the objective of expanding housing choice for members of the federal protected classes—race, color, national origin, disability, familial status, religion and sex.

#### M&L Clients by Local HUD Office



M&L Al Client	Pop.
States	
New York (includes an analysis of other entitlements' Als and a second document devoted to the State's CDBG-DR program)	19,795,791
lowa	3,090,416
Delaware (includes the City of Wilmington, City of Dover and New Castle County entitlement entities)	885,122
Vermont (exclusive of the City of Burlington)	583,324
Multi-jurisdictional & Regional	
Baltimore Regional Commission (includes Baltimore City, Baltimore County, Harford County, Howard County and Anne Arundel County entitlement entities)	1,881,823
Piedmont Triad Region in North Carolina (covers a 12-county region, including the entitlement cities of Burlington, Greensboro and High Point and the Surry HOME Consortium)	1,641,142
Hampton Roads, VA (covers seven HUD entitlement cities, including Norfolk, Hampton, Newport News, Portsmouth, Suffolk, Virginia Beach, and Chesapeake, VA)*	1,349,673
Wake County / City of Raleigh / Town of Cary, NC / Housing Authority of the County of Wake / Raleigh Housing Authority	998,691
Erie County / Town of Hamburg / ACT Consortium (Amherst, Cheektowaga, Tonawanda), NY	664,132
Cities of Alliance, Canton, Massillon, and the Urban County of Stark County, OH	379,214
Waterloo / Cedar Falls, Iowa HOME Consortium	104,892
Parkersburg, Wood County, Vienna, WV HOME Consortium	34,168

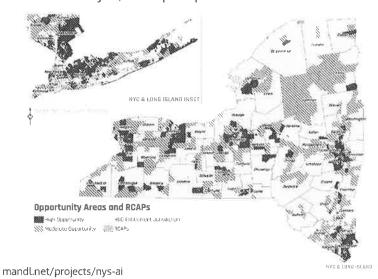
M&L Al Client	Pop.	M&L AI Client	Pop.
Jrban Counties		Cities above 100,000	
Allegheny County, PA	925,686	City of Jersey City, NJ	240,055
Cuyahoga County, OH	876,488	City of Yonkers, NY	195,979
Prince George's County / City of Bowie, MD	820,852	City of Columbus / Muscogee County, Ga	189,885
Montgomery County, PA	750,097	Cities of Moline, IL / Rock Island, IL / Davenport, IA	183,31
Bucks County / Bensalem Township, PA	621,643	City of Joliet, IL	152,812
Will County, IL	530,097	City of Naperville, IL	144,864
Passaic County / Wayne Township, NJ	505,672	City of Waterbury, CT	110,189
Morris County / Parsippany, NJ	499,727	City of Erie, PA*	103,717
Chester County, PA	498,886	Cities under 100,000	
Williamson County, TX	422,679	City of Roanoke, VA	97,032
Berks County, PA*	373,638	City of New Rochelle, NY	77,06
Westmoreland County, PA*	369,993	City of Lynchburg, VA	75,568
Will County, IL	338,882	City of Evanston, IL	74,486
Lehigh County, PA	312,090	City of Bethlehem, PA	71,329
McHenry County, IL	308,760	City of Iowa City, Iowa	62,220
Cumberland County / Fayetteville, NC	302,963	City of Gaithersburg, MD	59,880
Erie County, PA <i>(includes the City of Erie</i> and Millcreek Township entitlement	280,294	Lower Merion Township, PA	59,850
entities and eight non-entitlement		City of Council Bluffs, IA	58,268
communities)		Village of Oak Park, IL	52,524
Atlantic County, NJ	252,552	Millcreek Township, PA	52,12
Dauphin County, PA	251,798	City of Cleveland Heights, OH	49,958
Travis County, TX	242,519	City of Harrisonburg, VA	48,91
Cumberland County / Carlisle Borough, PA	241,212	City of Annapolis, MD	35,838
Washington County, PA*	202,897	City of Atlantic City, NJ*	35,770
Beaver County, PA*	181,412	City of Williamsport, PA	30,70
Cities above 100,000		City of Easton, PA	26,26
City of Colorado Springs, CO	416,427	City of Lebanon, PA	24,46
City of Cleveland, OH	393,806	City of Johnstown, PA*	23,90
City of Sarasota / Urban County of Sarasota County, FL	379,448	City of Hazleton, PA	23,329
City of Buffalo, NY	261,310	City of Ocean City, NJ	15,378

Recent examples of our AI and AFH work products are highlighted are the following pages.

#### State of New York

#### ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE, 2016

M&L led a team of over 40 experts across eight firms to produce two unique AI documents for New York State Homes and Community Renewal (HCR). In addition to the components standard to every AI, HCR's principal AI included a detailed investigation of the design of



their own policies and programs, as well as an unprecedented multipoint analysis of the AI of every HUD entitlement in the state. A second AI was comprised of only those counties that received CDBG Disaster Recovery funding following the series of severe weather events in 2011-2012, and included an in-depth assessment of the Governor's Office of Storm Recovery's implementation of the CDBG-DR program.

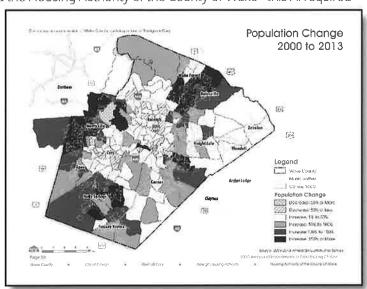
## Wake County, NC

#### ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE, 2015

A **collaboration between five entities** - Wake County, the City of Raleigh, the Town of Cary, the Raleigh Housing Authority, and the Housing Authority of the County of Wake - this AI required

multiple levels of data analysis to properly address the needs and goals of each one. For example, regional phenomena like housing opportunity and racially/ethnically concentrated areas of poverty were calculated countywide, while **local policies** like zoning ordinances were reviewed individually. Ultimately, M&L recommended actions that included regional initiatives as well as specific recommendations for each jurisdiction.





#### **Assessments of Fair Housing**

M&L completed two of the first-in-the-nation Assessment of Fair Housing documents due at HUD in early October 2016. These included a Joint AFH for the City of Harrisonburg, VA, and Harrisonburg Redevelopment & Housing Authority and a Joint AFH for the Urban County of Dauphin County, PA and the Housing Authority of the County of Dauphin. The Harrisonburg, VA AFH received its letter of acceptance from HUD and the Dauphin County AFH is being revised slightly to address HUD comments.

Our experience and lessons learned through these two assignments have influenced how we prepare and scope AFHs. For example, analysis of local demographics and the housing market receive much less emphasis than the review and assessment of key policies, programs and statutes related to housing and access to community assets. More emphasis is placed on local public housing authority policies as well as policies impacting people with disabilities. Finally, HUD is looking for specific milestones and metrics to be developed for each priority identified in the AFH. The significance of this element is critical as it provides the foundation for an entitlement's goals, objectives and activities in its Consolidated Plan and Annual Action Plan, thereafter.

As a result of these two assignments, we have become very familiar with the AFH Assessment Tool. We have streamlined our process for data collection and analysis, local source data and documents, and modified the list of stakeholders to be interviewed to cover the topics raised in the AFH.

#### Dauphin County, PA

ASSESSMENT OF FAIR HOUSING, 2016 Dauphin County's Department of Community and Economic Development and Housing Authority partnered together to prepare a joint Assessment of Fair Housing. After extensive data analysis, M&L identified the major factors that contributed to fair housing across the county. The recommendations designed to help the county address these factors included expanding housing choice, updating zoning codes, investing in outreach and enforcement, improving access for the persons with disabilities, and confronting affordable housing opposition. DCED and HACD relied on these recommendations to construct their next five-year strategic plans.



mandl.net/projects/dauphin-county-afh

# Harrisonburg, VA

### ASSESSMENT OF FAIR HOUSING, 2016

The City of Harrisonburg and the Harrisonburg Redevelopment and Housing Authority collaborated on one of the first Assessments of Fair Housing in the nation, marking a sea change in the way municipalities approach fair housing issues. M&L led an extensive public engagement process and analyzed data about segregation, poverty, neighborhood opportunity, persons with disabilities, publicly supported housing, and more. The goals resulting from the AFH process included expanding housing choice, increasing homeownership, improving transit, and strengthening enforcement. The accompanying metrics were used by the City and HRHA to guide strategic funding decisions for the next five years.



mandl.net/projects/harrisonburg-afh

### **HUD CAPER Experience**

M&L has prepared CAPERs for more than 40 entitlements representing 16 separate HUD offices since 2005. M&L brings exceptional experience and expertise in this area for this project. To date, M&L has assisted 40 HUD grantees with the eCon Planning Suite format in IDIS for Five Year Plans, Annual Action Plans, and CAPERs. In each instance, we worked with the client to complete the IDIS Access Form, which allows M&L limited access to a client's IDIS portal for the purposes of developing the Annual Plan or CAPER. As a result of working through the new template for so many of our clients, M&L has identified deficiencies and glitches in the system, and worked through them in efficient ways. Our staff are comfortable communicating with HUD to find solutions to these challenges in the eCon Planning Suite.

### **Environmental Review Records (ERRs)**

M&L has extensive ERR experience in completed 24 CFR Part 58/51/55 and 36 CFR Part 800 ERRs annually for the over 45 entitlement clients over the last five years. A full list of clients served is included in Appendix A. As part of our environmental work, we have also carried out numerous noise assessments, floodplain noticing, historic recordation documentation and SHPO clearances for our clients over the past five years—all in accordance with HUD statutory and regulatory requirements.

We have a breadth of knowledge and experience in helping clients fulfill HUD requirements concerning environmental review responsibilities. We are thoroughly familiar and experienced with the environmental review procedures described in 24 CFR 58 and 36 CFR Part 800. In the last five years, our firm has completed more than 150 environmental review records that meet these federal regulatory standards.

On an annual basis we provide the following services to our clients as they relate to securing ERR clearance for projects funded with federal entitlement funds:



- Classifying project activities (i.e., exempt, categorically excluded, or requiring an assessment) and documenting these classifications via citations from Part 58.
- Determining the applicability of the various laws and authorities listed in Part 58.5 historic properties (SHPO clearance), floodplains, wetlands, endangered species, noise, hazardous materials, farmlands protection, etc. and consulting with the appropriate federal and state agencies regarding these laws and regulations. Our work includes preparing correspondence and all supporting documentation required by these agencies.
- Preparing environmental assessments as required.
- Undertaking special environmental clearance studies or reports (e.g., noise assessments, historic recordation, etc.) as required.
- Determining which project activities require submissions of Requests for Release of Funds and securing such releases on a multi-year basis in order to minimize the client's environmental review responsibilities in subsequent years.
- Devising tentative schedules for publications of notices and releases of funds.
- Preparing notices (e.g., floodplain, Intent to Request a Release of Funds, Finding of No Significant Impact, etc.) as required for publication or posting.
- Preparing all HUD and/or state forms required to secure releases of funds.
- Writing environmental review records (ERR) that contain all environmental review documents, public notices and written determinations or environmental findings required by Part 58 to provide evidence of review, decision making and actions pertaining to project activities.

M&L has extensive experience using a host of web-based platforms to conduct and document HUD ERRs. This includes use of federal and state agency websites, including the EPA Enviromapper, EPA Superfund Site Information, the U.S Fish and Wildlife Service National Wetlands Inventory Wetlands Mapper, FEMA map service center, the National Mine Map Repository Center, USGS topographical maps, NJ DEP Geoweb, HUD CPD online mapping, Pennsylvania CRGIS, and the ESRI Community Maps program.

Our CDBG-DR work in Pennsylvania and New Jersey over the last three years included a complete environmental review record for more than 25 projects that constitute the CDBG-DR programs for various urban counties and entitlement cities. The reviews included a record using data supplied by FEMA for 27 properties for a multi-hazard mitigation project.

# **Housing Plans & Studies**

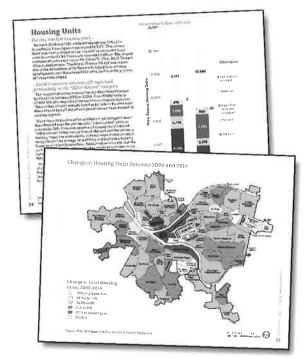
M&L has prepared affordable housing needs assessments, workforce housing studies, and housing market analyses in a variety of settings. These work products demonstrate our capabilities relative to data collection and statistical analysis. Some of these assessments were designed to assist the client in complying with HUD Five-Year Consolidated Plan requirements. Others were designed to assist state housing finance agencies in establishing housing tax credit policy. Each of these assignments involved an analysis of housing needs and affordability at various household income levels. A few examples of our successful housing studies are highlighted on the following pages.

# Louisville, KY

HOUSING NEEDS ASSESSMENT, 2019

To complete this study of Louisville's 21 housing market areas for Louisville Metro Government and Louisville Affordable Housing Trust Fund, M&L built on ample qualitative data with a number of analytical methods that defined and quantified Louisville's housing needs. A windshield survey to assess exterior housing conditions fleshed out a profile of market conditions and pinpointed neighborhoods with rehabilitation needs. An analysis of housing affordability gaps, completed with methodologies developed by the National Low Income Housing Coalition and the Urban Land Institute, specified rental and purchase price points that were missing from Louisville's housing market. An assessment of resident vulnerability to displacement highlighted neighborhoods with the greatest risk of involuntary residential turnover. These analyses, along with socioeconomic and housing market indicators mined from the census and local sources, were used to geographically target M&L's recommended strategies for tackling identified needs.





mandl.net/projects/pittsburgh-hna

# Pittsburgh, PA

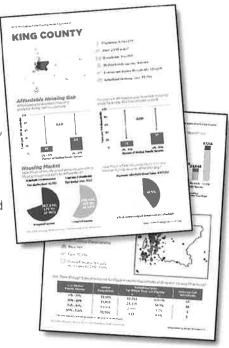
### HOUSING NEEDS ASSESSMENT, 2016

The City of Pittsburgh created the Affordable Housing Task Force in 2015 to assess the current and future landscape of housing affordability in the city, evaluate current programs and initiatives to produce new affordable units and preserve existing ones, and make recommendations to the Mayor and City Council. M&L worked with the Task Force's Needs Assessment subcommittee to study and analyze the data, trends, and characteristics associated with the local housing market. This involved describing supply and demand, identifying housing gaps, and modeling residents' vulnerability to displacement at the neighborhood level. The Task Force used the final report to support and inform the policy recommendations presented to Council and the Mayor.

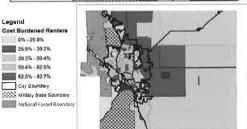
# **State of Washington**

HOUSING NEEDS ASSESSMENT, 2015

Prepared for the Affordable Housing Advisory Board, the Department of Commerce, and the Housing Finance Commission, this study was an innovative and exhaustive accounting of housing affordability in Washington State. To maximize the usability of the report for legislators and affordable housing practitioners, M&L focused only on select, key indicators of the statewide housing market. In order to answer all of the posed research questions, M&L completed every point of analysis for different income tiers, for both renters and homeowners, and at unique geographies requested by the diverse client team. This meant adapting and expanding proven techniques, such as the affordable housing gap analysis popularized by the National Low Income Housing Coalition and Urban Institute. In addition, M&L compiled the most complete and detailed inventory of subsidized housing the state had ever undertaken. The result was a highly data-driven report that included a unique data profile for all 39 counties as well as 17 urban regions in the state.



mandl.net/projects/washington-hna



# Colorado Springs/ El Paso County, CO

AFFOR**DA**BLE HOUSING NEEDS ASSESSMENT, 2014

Given steadily increasing demand for affordable housing and shrinking local budgets, the City of Colorado Springs and El Paso County needed to maximize the impact of their community development dollars. This required broad knowledge about the current local housing market and how it might change in the future. M&L completed an assessment of local demographic, housing, and economic conditions, a description of unmet housing needs, and an action plan based on major findings. Among other things, our research revealed that elderly and Millenial households will drive future housing demand, and that affordable housing is already in short supply and will only get scarcer. The city and county will use this information to target their housing activities in certain neighborhoods to achieve the largest impact.

mandl\_net/projects/colorado-springs-hna

### **CDBG Technical Services**

M&L is experienced in virtually all aspects of HUD's Community Development Block Grant (CDBG) and HOME Investment Partnerships Programs. We provide comprehensive consulting services on an on-going basis to a core group of about 30 HUD entitlement entities. These services include Consolidated Plans, Analyses of Impediments to Fair Housing Choice, Annual Action Plans, CAPERs, environmental review records, IDIS technical assistance, HOME subrecipient and CHDO agreements, subrecipient monitoring plans, eligibility and statutory objective reviews and technical administrative support for the CDBG and HOME programs.

Since the program's inception in 1974, M&L has provided technical assistance to CDBG entitlement communities. Notwithstanding the maturity of this program, M&L fields requests for technical assistance every day from its CDBG clients. Our services have been sought by many grantees to assist with NSP-related property acquisition and relocation issues. We have also provided CDBG-DR services to a number of communities.

Our experienced staff have conducted training for public service subrecipients, many of which often have difficulty in understanding CDBG file documentation requirements relative to statutory objective and eligibility. M&L also recently provided technical support in documenting job creation for a large Section 108 loan transaction. Additional examples of CDBG technical support provided by our staff include:

- Assisting with CDBG monitoring of activities
- Underwriting analyses for special economic development activities per 24 CFR 570.209
- Statutory objective and public benefit documentation for special economic development activities
- Loan agreements for special economic development activities
- Subrecipient agreements and training
- Program guidelines for housing rehab, public service activities, etc.
- Uniform Act compliance
- Section 3 Compliance
- IDIS clean-up
- Development of policy and procedures manuals

Typically, M&L functions as an extension of the grantee's staff. Our clients call upon us frequently to provide advice and background information relative to regulatory issues, as well as other federal requirements such as procurement and contracting, acquisition, relocation, environmental compliance, labor compliance, and equal opportunity. Whatever the project or question, chances are good that members of our firm have been involved in similar projects with other clients. We help our clients to resolve eligibility and statutory objective issues in the early stages of a project, which helps to eliminate problems or make problems more manageable when and if they occur. We often provide alternative strategies toward a particular client objective, then assist the client in selecting a preferred course of action.

Certain CDBG responsibilities are highly complex and may require third-party support. For example, utilizing CDBG funds in support of economic development activities can be quite challenging. We assist our clients in evaluating the potential problems and rewards of these higher risk activities. We also assist our clients in structuring relationships with sub-recipients. If grantee activities result in monitoring or audit findings, we assist our clients in resolving these issues.

Many clients rely on M&L's understanding of other funding programs to leverage CDBG funds. We use our knowledge of state and federal housing and economic development programs to provide value to our clients every day. Our CDBG/HOME client list is included in **Appendix A** of our proposal.

#### **HOME Technical Services**

M&L assists a number of HOME Participating Jurisdiction clients in structuring the use of HOME funds in rental housing and homeownership projects. We are frequently called upon to perform subsidy layering analyses and prepare written agreements for HOME-assisted activities. Our firm also provides financial consulting services to many clients such as nonprofit and for-profit housing developers. These services include:

- Preparation of financial models for homeownership projects, tax credit projects, TIF projects, Section 108 loan projects and other HOME-assisted transactions including sources and uses of funds, first year and 15-year operating budgets and assumptions, rent and utility analysis, analysis of cash flow/return on investment, review of developer fees, debt/income ratios, and preparation of Internal Rates of Return (IRR) analysis.
- Preparation of Low-Income Housing Tax Credit applications on behalf of private nonprofit and for-profit developers. To date, M&L has assisted in the development of more than 4,000 tax credit housing units in the Commonwealth of Pennsylvania for a total development investment of more than \$749 million.
- M&L also provides direct tax credit syndication services for projects that have received tax credits and need an investor who will purchase the credits and provide cash equity that will be used to construct the units.

M&L is also called upon from time to time to assess a PJs HOME program to address and update programmatic elements such as:

- HOME Program Forms and Applications
- Recommend improvements to a PJs HOME program.
- Develop program protocols, procedures, and policy to make the program run more effectively and in compliance with the Final HOME rule.
- Participate in on-site discussions with a PJ and developer on a proposed project to ascertain eligibly and/or to assist in structuring a HOME assisted project.
- Assist with overall HOME program compliance requirements.
- IDIS clean-up.

### **HOME Subsidy Layering and Underwriting Analysis**

We believe that these types of experiences uniquely qualify M&L to prepare HOME subsidy layering analyses. This development experience provides us with insights into the development process related to the creation of affordable housing units. We understand how developers think and structure these types of projects. These skills further qualify us to prepare the underwriting documents necessary for affordable housing projects that utilize federal HOME funds.

We understand the development process and know how to analyze real estate development transactions. More specifically, we have worked extensively in packaging rental housing projects that are financed, in part, with equity from the sale of low-income housing tax credits.

The HOME subsidy layering document that M&L provides to its clients complies with the most recent HUD regulatory requirements for subsidy layering found at 24 CFR Part 92.250(b) and HUD CPD Notice 15-11. HUD requires the completion of a subsidy layering review before committing HOME funds to a project to ensure that the community will not invest any more HOME funds, in combination with other governmental assistance, than is necessary to provide affordable housing.

In addition, M&L has recently updated its HOME subsidy layering documents to include the recent changes of the Final HOME Rule. These changes include incorporation of a section that assesses the current local demand for the proposed housing development to ensure there is sufficient market need for the proposed HOME project, a more in-depth review of the proposed project costs as they relate to current development costs in the area (which ensures that developers of homeownership projects address the issue of what happens to the unit should it not sell within six months of an issued certificate of occupancy), and a focus on the requirements of the housing post-development, to name a few.

The HOME Program requires that PJ's have in place a substantive policy on project subsidy layering and underwriting analysis with appropriate supporting documentation prior to formally committing program funds to a project. M&L's policy typically includes the following elements per §24 CFR Part 92.250(a) and (b) and CPD Notice 15-11:

- An assessment of the reasonableness of profit or return to the owner or developer, for the size, type, and complexity of the project. This is completed by a review of the total development costs, the amount of investment made by the owner/developer, a review of the annual and 15-year operating budget to determine if the project has excessive cash flow that could be used to repay debt and other similar analysis. (§24 CFR Part 92.250(b)(1))
- A review and analysis of the sources and uses of funds for each project and a determination of whether the proposed costs are reasonable and within industry standards. This includes a review of acquisition costs (supported by an independent appraisal), hard construction costs, soft costs, evidence of firm funding commitments other than HOME, and the overall financial soundness of the transaction. (§24 CFR Part 92.250(b)(1))
- A review of the amount of HOME funds to be invested in the project, per unit and bedroom size, to ensure that the HOME funds being invested will not exceed the maximum allowable HOME subsidy limits as published by HUD annually for the jurisdiction. (§24 CFR Part 92.250(a))
- A review of proposed rents, and review and documentation of any proposed utility analysis to ensure HOME compliance.
- A review of the current market conditions evaluated for the neighborhood in which the project will be located, including a determination as to market need for the project, vacancy rates, review of neighborhood comparables (rents or sales price), and an assessment of local demand for the housing type. This requirement does not apply to homeowner rehabilitation projects or projects that are funding down payment assistance only. (§24 CFR Part 92.250(b)(2))
- An assessment of the experience and financial capacity/net worth of the developer to ensure that the developer has the ability to complete the proposed project in a timely

- manner. This requirement does not apply to homeowner rehabilitation projects or projects that are funding down payment assistance only. (§24 CFR Part 92.250(b)(2))
- For projects involving new construction or rehabilitation, a review and approval of the project cost estimate must be completed to determine cost reasonableness. (§24 CFR Part 92,250(b))
- Documentation of eligible HOME Match
- Documentation as to how the proposed project will comply with the HOME Property Standards regulation.
- For rental rehabilitation projects, an assessment to ensure the useful life of the major systems, based on age and condition, if the building/unit meets or exceeds the period of affordability. If not, the development must demonstrate adequate replacement reserves in the operating/development budget to address this issue. (§24 CFR Part 92.251(b))
- For rental, rehabilitation developments of more than 26 units, a Capital Needs Assessment to be prepared for the project by the developer/owner. (§24 CFR Part 92.251(b))
- A risk assessment to assist in documenting market conditions, financial capacity, and other project details to support HOME investment. (§24 CFR Part 92.250(b)(2))

### HOME Homeownership Underwriting Analysis and Homebuyer Policy

For sales projects involving HOME-assisted units, M&L has developed a homeownership policy that complies with the Final HOME Rule. We have prepared homebuyer policies per 24 CFR Part 92.254(f) and subsidy layering analyses which includes the following elements:

- An analysis to ensure that the initial purchase price and the after-rehab value of the unit do not exceed 95% of the area median purchase price. The determination of median purchase must use the HUD published data sets for either newly constructed houses or existing houses based on the type of project.
- A review of how the proposed HOME project will comply with the new rule that the HOME-assisted unit must sell within nine months following the issuance of a Certificate of Occupancy.
- As part of the subsidy/underwriting preparation, a review of the overall project to ensure that homebuyer counseling is being provided as required by the Final HOME Rule per HUD guidance.
- A review and analysis of the sources and uses of funds for each project and a determination of whether the proposed costs are reasonable and within industry standards. This includes a review of acquisition costs (supported by an independent appraisal), hard construction costs, soft costs, evidence of firm funding commitments other than HOME, and the overall financial soundness of the transaction.
- A review of the amount of HOME funds to be invested in the project, per unit and bedroom size, to ensure that the HOME funds being invested will not exceed the maximum allowable HOME subsidy limits as published by HUD annually for the jurisdiction. (§24 CFR Part 92.250(a)). An assessment of the experience and financial capacity/net worth of the developer to ensure that the developer has the ability to

- complete the proposed project in a timely manner. This requirement does not apply to homeowner rehabilitation projects or projects that are funding down payment assistance only
- For homebuyer projects that involve rehabilitation, review and documentation to ensure that units'/buildings' major systems have a useful life of at least five years following rehabilitation to meet the HOME on-going sustainability requirements.
- Documentation as to how the proposed project will comply with the HOME Property standards regulation.
- Review and documentation of any eligible HOME Match.
- Review and documentation of how the project will secure long term affordability per the HOME regulation (§24 CFR Part 92.252)
- A review of the current market conditions evaluated for the neighborhood in which the project will be located, including a determination as to market need for the project, vacancy rates, review of neighborhood comparables (rents or sales price), and an assessment of local demand for the housing type. This requirement does not apply to homeowner rehabilitation projects or projects that are funding down payment assistance only (§24 CFR Part 92.250(b)(2)
- Each project will be reviewed to insure compliance with the HOME required homebuyer policy. For example, each HOME assisted homebuyer must be evaluated to include documentation of the following:
  - Evaluation of housing debt and overall debt
  - o Review of monthly expenses
  - Review of the households financial resources available to sustain and maintain housing
  - Insuring the homeowner's private mortgage is sustainable and does not include any predatory loans
  - Evaluation of the terms for all loans to which HOME funds are subordinated to ensure that they are reasonable and sustainable.

This can be typically documented with evidence from the lending institution that provides a first mortgage to the homebuyer.

### New Requirements under the Final HOME Rule

Since HUD issued the Final Rule for the HOME Program on July 24, 2013, M&L has assisted numerous clients to become compliant with the new regulatory requirements. Our services have included the following:

- Development of HOME Monitoring Plans
- Assisting communities monitor CHDO and subrecipients.
- Development of housing market assessments for new HOME program requirements that require all HOME funds to be invested in a project must meet a locally identified housing market need for affordable housing.
- Development of Homebuyer Policy



- Preparing new HOME Subsidy Layering and Underwriting Policies per 24 CFR Part92.250 (b)
- Updating existing HOME subrecipient and CHDO written agreements
- Updating policies and procedures to reflect the new CHDO definitions for owner, developer, and sponsor per 24 CFR Part 92.300(a)(2)-(6)
- Assisting in the development of internal HOME program policies and procedures and risk-based monitoring per 24 CFR Part 92.504(a)
- Establishing updated Homebuyer Program Policies
- Updating policies and checklists to certify or recertify CHDOs.
- Updating policies to include new revisions of CHDO capacity.
- Updating HOME Developer, HOME CHDO, HOME subrecipient, and HOME TBRA agreements for compliance
- Updating HOME agreements to include new commitment and expenditure requirements.
- Creating risk-based monitoring procedures
- Compliance with new sustainable homeownership requirements (including review of housing debt and overall debt, monthly expenses of family and review of first mortgage products as part of the underwriting and responsible lending)
- Compliance with rehabilitation standards and useful life requirements and major systems
- Review program files to determine proposed programmatic documentation.
- Compliance with new property standards for new construction projects

### **Previous and Current Contracts of Similar Services**

Since the Final HOME Rule became effective on July 24, 2013, M&L has provided our clients with various documents needed to comply with new HOME requirements. Some examples include the following:

Client	Specific HOME Program Services Provided to	Date
	Comply with Final HOME Rule	_
Westmoreland	<ul> <li>Developed Subsidy Layering Policy</li> </ul>	
County, PA	Developed Homebuyer Policy	
,	Developed HOME Resale/Recapture	
	Policy	
	<ul> <li>Developed HOME Monitoring and Risk</li> </ul>	
	Assessment Policy	2013-2023
	<ul> <li>Updated all HOME Subrecipient and</li> </ul>	2013-2023
	CHDO agreements for both rental and	
	homeownership projects.	
	<ul> <li>Carried out annual subsidy layering</li> </ul>	
	analysis on both rental and	
	homeownership projects.	
	<ul> <li>Developed HOME Policy and</li> </ul>	
	Procedures Manual	
	Developed Rehabilitation Standards	
	<ul> <li>Assisted in structuring the use of HOME</li> </ul>	
	funds in various rental and	
	homeownership transactions.	

	Duran and Mauliat and familiality applying	
	Prepared Market and feasibility analysis	
	for all HOME projects General HOME Technical Assistance	
NA/a alaim arta ra		
Washington	Developed Subsidy Layering Policy     Developed Homeburg Policy	
County, PA	<ul><li>Developed Homebuyer Policy</li><li>Developed HOME Resale/Recapture</li></ul>	
	Policy  Carried out annual subsidy layering	
	analysis on both rental and	
	homeownership projects	2013-2023
	Assisted in structuring the use of HOME	
	funds in various rental and	
	homeownership transactions	
	<ul> <li>Prepared Market and feasibility analysis</li> </ul>	
	for all HOME projects	
	General HOME Technical Assistance	
Jersey City, NJ	Review HOME Program	
jersey eregy vi	Applications/program forms and made	
	recommendations for updating	
	Provided assistance and guidance	
	related to project eligibility	
	Developed Subsidy Layering Policy	2015 17
	Developed Homebuyer Policy	2015-16
	Developed HOME Resale Policy	
	<ul> <li>Developed HOME Monitoring and Risk</li> </ul>	
	Assessment Policy	
	Developed HOME Policy and	
	Procedures Manual	
	General HOME Technical Assistance	
Trenton, NJ	Provided assistance and guidance	
	related to project eligibility	
	<ul> <li>Developed HOME Recapture/Resale</li> </ul>	2015-2023
	Policy	
	<ul> <li>Reviewed stalled HOME projects and</li> </ul>	
	provided guidance related to	
	addressing issues to achieve HOME	
	eligible project	
	General HOME Technical Assistance	
Philadelphia	Developed Subsidy Layering Policy	
Redevelopment	Developed Homebuyer Policy	
Authority	Developed HOME Resale Policy	2016-18
	Developed HOME Monitoring and Risk	
	Assessment Policy	
<u> </u>	Reviewing Subsidy Layering documents	2017 2010
Palm Bay, FL	Prepared HOME Subsidy Layering	2016-2018
	Analysis	
	Assisted in addressing HUD monitoring	
	findings	

# **IDIS Technical Services**

M&L provides IDIS services to several of our entitlement clients. Depending on the needs of the client, our staff provides a variety of technical assistance, including:



- Project set-up
- IDIS clean-up
- Five-Year Consolidated Plan preparation
- Annual Plan preparation
- Project revisions
- Preparation of drawdown requests on the basis of supporting documentation for project costs
- Preparation of reports for insertion in the CAPER.

### **Economic Development Technical Services**

M&L has a lengthy history of assisting clients with consulting services involving economic development programs and initiatives, much of which involve a combination of local, state and federal funding sources to address employment and/or housing needs. A partial list of our projects related to various technical service contracts undertaken is included below.

### Redevelopment Area Planning under PA Urban Revelopment Law

M&L prepared several PA Urban Redevelopment Plans and Proposals over the last three years including the following:

Montgomery County Redevelopment Authority – The Washington/Markley Corridor Redevelopment Area Plan, Norristown, PA- In 2017-18- M&L prepared a certified PA Urban Redevelopment Plan including a Certification of Blight and Redevelopment Proposal for this area within Norristown Borough including a portion of downtown Norristown along the Schuylkill River. The purpose of the plan was help facilitate a major commercial redevelopment project being planned for the riverfront. This area was also undergoing major transportation improvements being implemented by PennDOT and SEPTA. The Redevelopment Plan is currently being implemented by the Redevelopment Authority, the State and SEPTA.

City of Pottsville Downtown Redevelopment Plan 2018-19- M&L is currently working with the City of Pottsville, PA and the Pottsville Redevelopment Authority to finalize a Redevelopment Area Plan for the Downtown area. The purpose of the Redevelopment Plan and proposal is to assist the city with several major commercial redevelopment projects currently being planned. This includes the expansion of the Yuengling Brewery to allow for additional brewing capacity and enhanced improvements to the area for increased tourism. Additionally, the city anticipates a new hotel in the downtown as part of this overall redevelopment plan. To date, M&L has prepared a Certification of Blight, a Redevelopment Plan and has made suggested zoning changes to the City's ordinance to allow for the redevelopment plans. M&L will continue to work on this project in 2020 with the preparation of a Redevelopment Proposal and a TIF financing plan for the development sites.

Somerset Borough Redevelopment Plan 2018-19- M&L is currently working with the Somerset County Redevelopment Authority to finalize a Redevelopment Area Plan for downtown Somerset. To date, M&L has drafted a Certification of Blight. M&L will continue to work on the Redevelopment Plan in 2020. The purpose of this project is to make various improvements to downtown Somerset including additional affordable housing and economic development.

### Tax Increment Financing

M&L has done over 40 TIF projects throughout Pennsylvania the enactment of the Tax Increment Financing Act of 1990. Current and former TIF projects include:

### **Current TIF Projects**

- Valley Crest Commons (Wilkes Barre, PA)
  - \$120 million development of a retail center in Wilkes Barre, PA; includes hotel, shopping, dinning and apartment complex; \$5 million in TIF debt being used for PennDOT mandated road improvements in conjunction with PA Route 309 and Interstate 81
- Smithfield Gateway (Smithfield Township, PA)
  - \$100 million development of a retail center in Smithfield Township, PA; includes hotel, shopping, dining, apartment complex and commercial office space; \$6 million in TIF debt being used for PennDOT mandated road improvements in conjunction with PA Route 209 and 447
- Pocono Springs (Tobyhanna Township, PA)
  - \$200 million development of entertainment district in Tobyhanna, PA; Sits next to Kalahari Resorts and will include shopping, dining and entertainment; \$30 million in TIF debt being used for infrastructure improvements
- Elkins Estate (Elkins Park, PA)
  - \$20 million redevelopment of Gilded Age mansion in Elkins Park, PA;
     redeveloping property into conference center, hotel, wedding venue, restaurant
     and spa; \$7.5 million in TIF debt being used for interior improvements
- Barber Street Smart Living (Allentown, PA)
  - \$5 million development of 53-unit low-income for sale townhomes in Allentown, PA; \$1.5 million in TIF debt being used for infrastructure improvements.

#### Past Projects

- Kalahari Resort (Tobyhanna Township, PA)
  - \$300 million development of indoor waterpark and resort complex in
     Tobyhanna, PA; \$30 million in TIF debt was used to finance infrastructure needs for the project
- Hamilton Crossing (Lower Macungie, PA)
  - \$100 million redevelopment of brownfield, former Bethlehem Steel site in Lower Macungie, PA; redevelopment included retail and commercial aspects;
     \$10 million TIF debt was being used for site remediation
- Bethlehem Works-Sands Casino (Bethlehem, PA)
  - \$300 million redevelopment of former Bethlehem Steel Corporation properties in Bethlehem, PA; Sands Casino and Smithsonian Museum occupy redeveloped site; \$80 million TIF deb used for site clearing and remediation as well as infrastructure costs
- Highland Park/HUB Arena Center (Wilkes-Barre, PA)
  - \$40 million development of Convention Center with hotel and retail space; \$5
    million in TIF debt helped finance highway improvements associated with the
    site

### Section 108 Loan Guarantee Program

- City of Erie, PA: In 1992, M&L prepared a Section 108 loan application and underwriting analysis in support of the substantial rehabilitation of the Avalon Hotel in Erie, Pennsylvania. The Prudential Insurance Company of America foreclosed on the property in 1990 but could not operate the facility profitably. The condition of the facility had declined to the point that only a few guest rooms were capable of being rented to overnight guests. Two local entrepreneurs in the lodging industry purchased the hotel at a deep discount to the appraised value. The hotel required \$2 million in substantial rehabilitation, including guest rooms, food service and convention space. Despite its appraised value of \$4 million, commercial lenders would not consider participating in this project due to the high foreclosure rate in the transient lodging industry. The investors capitalized a working capital account of \$500,000 and requested a \$2 million Section 108 loan from the City of Erie. Loan proceeds were used to renovate 191 guest rooms, roof, and other envelope repairs, install a sprinkler system, rehabilitation of the lobby and conference facilities and refit the dining room, bar and kitchen.
- Beaver County, PA: In November 2003, M&L prepared a Section 108 loan application in support of downtown streetscape improvements in New Brighton, Ambridge and Midland. Prior to 2003, Beaver County provided annual allocations of CDBG funds for improvements to downtown business districts. With the limited funding available from the annual CDBG grant, each community was able to complete streetscape improvements in only one downtown block per year. At this rate, it would take a decade to complete streetscape improvements in a single community. Beaver County reached the decision to secure funding for all three communities under HUD's Section 108 loan program. The amount of the Section 108 loan was \$5.166 million, which was repaid over a 10-year period.
- Westmoreland County, PA: In 2005, M&L prepared a successful Section 108 loan application in the amount of \$1.8 million in support of redevelopment activities in Greensburg, Pennsylvania. Seton Hill University secured a commitment of \$5 million in Redevelopment Assistance Capital Program funds from the Commonwealth of Pennsylvania to construct classroom space, a new black box theater and auditorium for the performing arts. This facility was constructed near the Palace Theater and the historic train station in the City's cultural district. Several properties were acquired and demolished in order to assemble the site for the proposed development. The success of this project continues today. The City and County are currently in the process of completing a Phase II adjacent to the Performing Arts Center that consists of additional classroom and office space. It is anticipated that this phase will be completed in 2016.
- Beaver County, PA- In 2017-18, M&L prepared a HUD Section 108 loan for Beaver County to partially finance two separate projects: the Merchant Street Streetscape Project in the Borough of Ambridge and the Gateway / Streetscape Project in the Borough of Monaca. The Ambridge project involved various public facilities improvements in the downtown The Monaca Section 108 activity involved the removal of architectural barriers as part of a larger public facilities improvement project and has a presumed benefit for persons with disabilities. Neither activity will generate program income or cause displacement of residents. The total amount of the Section 108 loan was \$3,092,700. This project is currently being implemented.

### Affordable Housing Development Experience

### Low Income Housing Tax Credit Development

M&L has participated in the development of 4,097 units financed in part with equity from the sale of Low-Income Housing Tax Credits. Our firm also provides compliance and management training services for rental housing projects assisted in part with HOME funds and/or equity from the sale of the credits. We provide these services through our affiliate firm, M&L Compliance Management, LLC.

In addition, M&L provides technical assistance in support of mixed finance applications, PHA agency plans, demolition/disposition applications, Section 8 homeownership, Rental Assistance Demonstration initiatives, and Section 8 project-based assistance. A few recently completed projects are highlighted below.

#### VHDC AP54

#### Allentown & Bethlehem, PA

M&L assisted Valley Housing Development Corporation (VHDC) to obtain tax credit financing to acquire and rehabilitate four of its early general-occupancy LIHTC developments in the Lehigh Valley to preserve them as decent, safe, affordable housing. VHDC combined four older tax credit properties which included Atlantic Street Apartments (Bethlehem, Northampton County), Pennsylvania Avenue Apartments (Bethlehem, Lehigh County), North 5th Street Apartments (Allentown, Lehigh County), and East 4th Street Apartments (Bethlehem, Northampton County) into one project known as VHDC AP54 to achieve economies of scale in the pursuit of LIHTCs. The projects share a common thread in terms of geographic proximity, approximate size (the projects range from 8 units to 22 units each), architectural style, extended use period expiration date, need for capital improvements, and risk for conversion to market rate housing. Due largely to the age of the buildings and resulting high maintenance costs and paired with the burden of carrying hard debt, the VHDC AP54 properties were all showing signs of wear and tear and struggling to cash flow. VHDC AP54 consisted of the acquisition and rehabilitation of five twoand three-story walk-up buildings and one two-story townhouse building consisting of a total of 52,730 square feet. All four projects are located in urban neighborhoods and are closely connected to services including shopping, employment, schools, public transportation, and medical facilities.

### Fahnestock House Gettysburg, PA

M&L assisted Adams County Housing Authority to rehabilitate this project. Built in 1810, Fahnestock House stands in the historic Borough of Gettysburg. M&L assisted Pennsylvania Interfaith Community Programs Inc. (PICP) complete the substantial rehabilitation of Fahnstock House, which was previously rehabilitated more than 25 years ago. Improvements included painting, flooring, appliances, carpet, furnishings, fixtures, improved



high-efficiency HVAC system, upgraded fire alarm and nurse call system, updated elevator machinery, enhanced accessibility, new high-efficiency windows, and expansion of the sprinkler system to cover the reconfigured units on the fourth floor. Additionally, lead-based paint was remediated. Sidewalks surrounding the building were also improved along with asphalt paving

and striping. Fahnestock House was designed to meet all of PHFA Threshold Green Building Criteria. Financing included LIHTCs and PHFA PennHOMES.

#### St. Francis of Assisi Commons Scranton, PA

St. Francis of Assisi Commons was new construction and provided a 30-unit, homeless veterans, rental housing project located in the City of Scranton, Lackawanna County. Supported by Catholic Social Services of Scranton, the St. Francis of Assisi Kitchen, and the Department of Veterans Affairs, The Commons was an innovative approach to extending existing services to homeless and low-income individuals in Scranton while



providing safe, decent, affordable housing to homeless veterans. The project was also affiliated with the Department of Veterans Affairs Community Homeless Assessment, Local Education, and Networking Group (Project Challenge) chartered to assist local communities nationally to serve homeless veterans. Common areas on each floor include a full-sized kitchen, dining and lounge areas, plus a community room/visitor lounge. This project's financing included conventional debt and equity from the sale of LIHTCs.

# Yester Square McKeesport, PA

M&L worked with McKeesport Housing Authority to complete the transformation of the former Crawford Village Public Housing site into the new Yester Square affordable housing development. The project involved the demolition and disposition of 204 obsolete, barracks style public housing units into 58 tax credit financed, newly constructed affordable housing units. M&L also assisted the Authority on the packaging of the mixed-finance proposal



to HUD, the HUD demo/disposition application to HUD, and securing \$11.2 million in tax credit equity.

### Affordable Homeownership Programs

M&L has assisted many organizations in carrying out subsidized homeownership programs. Our staff works with public agencies to identify potential sources of subsidy, including CDBG funds, HOME funds, PHFA funds, PA Act 137 funds, PA DCED funding sources, other State funds and Federal Home Loan Bank funds. Typically, these funds are used for homeowner counseling, downpayment assistance, closing cost assistance, permanent development subsidies and second mortgage loans.

M&L has participated in several PHFA programs that support homeownership projects including Homeownership Choice and PHARE. These are highly leveraged transactions aimed at revitalizing distressed neighborhoods and/or address affordable housing projects in locations impacted by oil and gas drilling.

M&L has assisted the Westmoreland County Department of Planning and Development on PHFA PHARE applications since the program's inception in 2012. An overview of this work includes the following:

- Development of County-wide Emergency Rehabilitation Program This program was
  designed to assist the emergency rehabilitation program for communities most
  impacted by the Marcellus Shale drilling. The County secured \$210,000 in PHARE
  funding for this program, which is currently being implemented.
- Monessen Transitional Stabilization Program This program assisted the city in the acquisition and targeted demolition of 271 vacant and blighted County repository properties. A total of three units are to be constructed in this neighborhood, two of which will be owner-occupied and the third will be a rental unit for households at or below 50% of median income. The overall goal of this program is to stabilize the targeted neighborhood through the elimination of blighted properties and to improve the overall housing stock for households who have been impacted by Marcellus Shale drilling. The County received \$400,000 for this initiative, and is continuing to implement it.
- Westmoreland County Homeownership Program The Westmoreland County Department of Planning and Development, in partnership with the newly created Westmoreland County Land Bank and Westmoreland County Housing Authority, secured \$160,000 in PHARE funds to create a homeownership program to principally benefit households between 60-200% of median income. A total of five households will be assisted in the first year of the program.

Westmoreland County has also partnered with the local non-profit housing developer Homes Build Hope, Inc. to implement a rental project located on St. Clair Avenue in Greensburg, PA. This project is located in one of the 10 targeted Land Bank communities in the County and will include the demolition of a vacant residential building located along St. Clair Avenue currently owned by Homes Build Hope, Inc. Homes Build Hope, Inc. w ill construct a two-unit rental building consisting of three bedrooms each. The units will be for households below 50% of the median income. This portion of the project will meet the PHARE requirement of providing at least 30% of the PHARE funds for households below 50% of median income.

### **Client References**

### **Community Development Clients**

# Washington County, PA CDBG and HOME TA

Ms. Brenda Williams, CDBG Director Redevelopment Authority of the County of Washington brenda.williamson@racw.net (724) 228-6875

# Westmoreland County, PA CDBG and HOME TA

Ms. Janet Parker, Deputy Director Westmoreland County Planning Department (724)830-3600 jthomas@co.westmoreland.pa.us

### Morris County, NJ

Ms. Amy Archer- Director CD Programs County of Morris Department of Human Services Division of Community & Behavioral Health Services aarcher@co.morris.nj.us Phone - (973) 285-6033

### City of York, PA

Mr. James Crosby, Deputy Director Bureau of Housing Services (717)849-2884 jcrosby@yorkcity.org

# **Consolidated Planning Clients**

# City of New Rochelle, NY Consolidated Plan & Annual Action Plan

Ms. Margaret Powell, Community Development Director (914)654-2178

MPowell@newrochelleny.com

### Orange County, NY

Nicole Andersen, GPC- Director Orange County Office of Community Development 18 Seward Avenue, First Floor Middletown, NY 10940 (845) 615-3819 nandersen@orangecountygov.com

# City of Corpus Christi, TX: Five Year Consolidated Plan for 2018-2022 and Annual Action Plan for 2018

Ms. Jennifer Buxton, Assistant Director-Housing & Resource Management, Department of Neighborhood Services (361) 826-3976 jenniferb@cctexas.com

### City of Trenton, NJ

Ms. Maria Richardson, CD Director
Division of Economic and Industrial Development
(609) 989-3512
mrichardson@trentonnj.org

### **Affordable Housing Clients**

#### Homes Build Hope, Inc.

Mr. Chad Ruffner, Executive Director (724)838-0752 chad.ruffner@homesbuildhope.org

### Adams County Housing Authority

Ms. Darlene Brown, Executive Director Pennsylvania Interfaith Community Programs, Inc. (717)334-1518 DBrown@adamscha.org

### **Lehigh County Housing Authority**

Mr. Daniel Beers, Executive Director Valley Housing Development Corporation (610)965-4514 Dan@lcha-vhdc.org

### **Local Client References**

### Carrie Casey

General Manager New Castle County Department of Community Services

Phone: 302-395-5616 Mobile: 302-442-2474

Email: carrie.casey@newcastlede.gov

# **Key Personnel**

The key personnel assigned to this project are described on the following pages. All are permanent, full-time employees of M&L.

William P. Wasielewski	President	Principal-in-Charge and overall Project Manager; assist with contract administration, community engagement, meeting presentations, project oversight, Five Year CP/AAP/CDBG/HOME TA, CAPER, AAP/AI
Kate Molinaro, MPA	Community Development Director	Consolidated Plan, AAP, Environmental review record preparation, and CAPER, CDBG TA, HOME ARP TA, AI
Danielle Brown, MPA	Project Manager	Research, community engagement initiatives, consolidated planning documents
Kevin Tang, MPA	Community Planner	Research, community engagement initiatives, consolidated planning documents

Resumes for staff follows this page.



### William P. Wasielewski

*Bill Wasielewski*, has nearly 20 years of experience in the field of housing and community development consulting. Mr. Wasielewski began his career with Mullin & Lonergan Associates in 1993 and has assisted many of the firm's client communities and non-profit organizations. Between 1999 and 2003, Mr. Wasielewski worked as a project manager for a national non-profit housing developer directing five HUD technical assistance grants (CDBG, CHDO, HOME and SHP) in the Pittsburgh HUD office totaling over \$800,000. In addition, he was a project manager on the \$17 million Wheeling, WV HOPE VI development. Mr. Wasielewski returned to Mullin & Lonergan Associates, Inc. in 2003 as a project manager and became a Principal of the firm in 2007.

Mr. Wasielewski currently holds the position of President of M&L and is responsible for overseeing all of the firm's HUD entitlement work. He is an expert in all aspects of housing, community planning, and development. He provides consulting services to the firm's clients through day-to-day technical assistance on CDBG and HOME regulatory issues, HOME subsidy layering analysis, Consolidated Annual Performance and Evaluation Reports (CAPER), Neighborhood Revitalization Strategy Area (NRSA) development, HOME Consortium renewals, HOME sub-recipient agreement preparation, HOME on-site project monitoring, and HUD's Neighborhood Stabilization Program (NSP) design and implementation.

He has also assisted many of our Eastern PA, Delaware and New Jersey HUD entitlement communities with specific HOME and CDBG related technical assistance.

Education Master of Urban & Regional

Planning

University of Pittsburgh; 1993

Bachelor of Arts, Political Science

Gannon University; 1990

Professional Experience Mullin & Lonergan Associates, Inc.

Principal

Pittsburgh, PA; 2003 - present

The Community Builders, Inc.

Project Manager

Pittsburgh, PA; 1999 - 2003

Mullin & Lonergan Associates, Inc.

Urban Planner

Pittsburgh, PA; 1993 – 1999

**Affiliations** 

American Institute of Certified

Planners

American Planning Association



# Kate Molinaro, MPA

*Kate Molinaro* is passionate about community engagement strategies that inform strategic planning efforts to build and improve sustainable communities. She has experience with project and budget development, grant management, and policy research and analysis. These skills pair well with the communication and relationship-building skills developed while engaging with local, state and federal partners.

Prior to joining M&L Kate served as Director of Community Development for the Cumberland County Redevelopment Authority. In this role, she took the lead on developing comprehensive and strategic plans to guide the County's housing, community and economic development activities. In addition, she was responsible for the planning, development, oversight and management of \$3.5 million in federal grants.

At Mullin & Lonergan Associates she is working on Five-Year Consolidated Plans for Orange County, NY and the City of York, PA. Additionally she is a key part of the team working on a revitalization initiative for the neighborhood of Hazelwood in Pittsburgh, PA.

Education

Bachelor of Arts, Cum Laude in Political Science Westminster College 2008 *Masters of Public Administration*Shippensburg University
2010

Professional Experience Mullin & Lonergan Associates, Inc.
Community Development Director
Pittsburgh, PA
2019 – present

Cumberland County Housing & Redevelopment Authority

Community Development Compliance Specialist Cumberland County, PA 2012 – 2014 Senate of Pennsylvania Research & Communications Intern

Research & Communications Interr Harrisburg, PA 2008-2010 Cumberland County Housing & Redevelopment Authority
Community Development Director Cumberland County, PA
2014 – 2019
Redevelopment Authority of the County of Fayette

Community Development Specialist Uniontown, PA 2010-2012



# **Kevin Tang, MPA**

Experience

Kevin Tang is passionate about exploring and experimenting with data to find relevant and innovative methods for building more resilient communities. Creating maps that are important tools in decision making is one of his strengths. Kevin's experience in academia and the nonprofit sector serves as a boon for organizing, visualizing, and communicating data in an accessible manner.

Prior to joining M&L, Kevin served as the Lab Manager for the Dong Lab in the University of Pittsburgh's Department of Neuroscience. In this role, he served as the database manager for the lab's 2,000-large mouse colony along with acting as the primary liaison between the lab and other university departments and collaborators. More related to M&L's work, Kevin served as a project fellow with Allegheny River Towns Enterprise Zone (ARTEZ), conducting primary data collection and visualization through community engagement for the Borough of Sharpsburg on issues related to blighted properties and unmet needs.

He is currently working on the Analysis of Impediments to Fair Housing Choice and Strategic Housing Plan for Rhode Island and the West Virginia Housing Needs Assessment

Education	Master of Public Administration	Bachelor of Science,
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University of Pittsburgh Urban Studies and Ecology & 2019 Evolution

University of Pittsburgh

2014

Mullin & Lonergan Associates, Inc. Mullin & Lonergan Associates, Inc. Professional

Research Analyst Intern Housing and Community Pittsburgh, PA Development Specialist

2019 Pittsburgh, PA

2019 – present

University of Pittsburgh Allegheny River Towns Enterprise

Zone Lab Manager Project Fellow Pittsburgh, PA 2015 - 2018Millvale, PA 2014 - 2015

City of Wilmington, DE Housing & Community Development Consulting Services Proposal



# Danielle Brown, MPA

Danielle's background in the public sector includes experience in economic development, marketing and owner of two small businesses.

Prior to joining M&L, Danielle worked as the marketing coordinator for a county mental health and addiction board where she joined collaborative efforts to reduce mental health stigmas and increase awareness to local mental health resources. She also worked as an economic development assistant. She was the sole owner of a photography studio and a bakery, managing all aspects of both shops from human resources, daily operations, marketing, and accounting.

At M&L, she is working on environmental reviews, public policy analysis and grant applications.

Education Mas

Master of Public Administration

Arkansas State University

2020

Bachelor of Fine Arts
University of Akron
2012

Professional Experience Mullin & Lonergan Associates, Inc.

Project Manager

Pittsburgh, PA 2021 – present Stark County Mental Health &

Addiction Recovery

Marketing Coordinator

Canton, OH 2018-2020

City of Wadsworth, OH
Marketing Coordinator & Economic
Development Assistant
Wadsworth, Oh

2017 – 2018

Danielle Rich Photography

Owner 2011-2019

Tracy's Treat & Cafe

Owner 2012-2017

# **Time Commitment**

The time commitment for each assignment and for each M&L member will be dependent upon the work being requested by the City. The following estimates are included as a guide.

### **Technical Assistance**

Bill Wasielewski, Principal-in-Charge	2-3 days/month
Kate Molinaro, Director of Community Development	0.5-1 day/month
Danielle Brown, Project Manager	1-2 days/month
Community Planner staff	1-2 days/month

# **Consolidated Plan & Annual Action Plan**

Bill Wasielewski, Principal-in-Charge	1.5-2 days/month
Kate Molinaro, Director of Community Development	2-3 days/month
Danielle Brown, Project Manager	4-6 days/month
Community Planner staff	4-6 days/month

### **Environmental Review Record**

Danielle Brown, Project Manager	1-2 days/month
Community Planner staff	1-2 days/month

# **Consolidated Annual Performance & Evaluation Report**

Bill Wasielewski, Principal-in-Charge	1 day/month
Kate Molinaro, Director of Community Development	1 day/month
Danielle Brown, Project Manager	2-3 days/month
Community Planner staff	6-8 days/month

# **Assessment of Fair Housing or Al**

Bill Wasielewski, Principal-in-Charge	1-2 days/month
Kate Molinaro, Director of Community Development	3-4 days/month
Community Planner staff	6-8 days/month

# Offeror's Stability

### **Depth of Experience across Staff**

Our principals and professional staff are experienced in various aspects of HUD's CPD Programs, as demonstrated in the following chart.

Employee	Con Plan	AAP	ERR	CAPER	AI/AFH	CDBG T/A	HOME T/A	General HUD T/A
William Wasielewski	X	X				X	X	X
Kate Molinaro	Х	X	X	Х	X	X	X	×
Danielle Brown	Χ	Χ	X	Χ		X		X
Kevin Tang	Х	Х	Χ	Χ	Χ			

### **Stability of Staff**

M&L has been in continuous operation for more than 56 years. Several of the professional staff assigned to this contract also have long tenure with M&L. Mr. Wasielewski has been with the firm for over 25 years. Ms. Molinaro has been with M&L for five years and has over 15 years of experience with the CBDG and HOME program and previously worked for the Cumberland County Redevelopment Authority.

Employee	Years of Service with M&L
William Wasielewski	26
Kate Molinaro	5
Danielle Brown	4
Kevin Tang	5

# **Responsiveness to Clients**

M&L understands the need for immediate technical support. In many cases, we respond to our client's requests with same-day telephone support. For assignments involving site visits, we are generally available within a few days of being notified of the need for on-site technical assistance. We urge you to contact our clients to learn more about our responsiveness.

# Firm Designation

M&L employs a workforce of 20 employees and therefore qualifies as a small business. Mullin & Lonergan Associates does not qualify as a minority firm, a women owned business, a labor surplus firm, or a Section 3 firm.

# **Basis for Compensation**

Mullin & Lonergan Associates, Inc. is willing to negotiate a lump sum, not-to-exceed contract with the City of Wilmington. We would be willing to structure a contract on the basis of fixed fee assignments, on the basis of hourly rate technical assistance services, or a combination of fixed fees and hourly rates. M&L will also be willing to negotiate a multi-year contract with the City.

The preparation of the *Consolidated Plan* lends itself to a fixed fee form of compensation. Our typical lump sum fee is in the \$35,000 – \$40,000 range and is dependent upon the extent of community engagement desired by the client. This fee range would also include the first year Annual Action Plan.

Since the City's next five-year plan will be due to HUD on May 15, 2025, the full planning period for this assignment would be prepared in 2024-2025. We would anticipate beginning work on the Consolidated Plan in the fall of 2024.

M&L's fee for an *Annual Action Plan* is in the \$10,000-\$12,000 range. This amount is also dependent upon the extent of community engagement desired by the City.

The preparation of an annual *Environmental Review Record* also lends itself to a fixed fee form of compensation. Our typical fixed fee is in the \$9,000 to \$9,500 range and depends upon the number and complexity of activities included.

The *CAPER* can be priced in a manner comparable to the Annual Plan in that M&L can review the City's draft CAPER, if desired. Our typical fee for a CAPER ranges between is \$9,500-\$10,000. Should the City require IDIS clean-up before the CAPER can be initiated by M&L, we can perform this task under the hourly rate component of the contract.

The Assessment of Fair Housing/Analysis of Impediments to Fair Housing (AI), would also be prepared as a lump sum deliverable. Our current fee is in the range of \$35,000 - \$40,000 range for an AFFH depending upon the degree of community engagement requested by the City. Our fee for an AI would be in the range of \$30,000-\$35,000 depending on the requested outreach. M&L is prepared to negotiate a scope of service and fee, if requested to do so by this City, for either an AFFH or an AI.

The balance of the contract would be provided in the form of technical assistance services on an as-needed basis. Based on our previous experience in providing technical assistance to the City of Wilmington, we would recommend a not-to-exceed annual fee in the \$50,000 – \$60,000 range to cover this component of the contract. The City may select any not-to-exceed amount that is appropriate. We will invoice the City only for services provided.

Lump sum work will be billed monthly, based on actual percentage complete for each work item.

### M&L's current schedule of hourly rates is as follows:

M&L Staff	Title	<b>Hourly Rate</b>
William Wasielewski, AICP	President/Principal	\$290
Kate Molinaro, MPA	Director of Community Development	\$225
Danielle Brown, MPA	Project Manager	<b>\$19</b> 5
Kevin Tang, MPA	Professional Community Planner Staff	\$175
Julia Frankenberg	Administrative Assistant	\$65

Additionally, hourly rates will be charged portal to portal should any travel be requested. M&L will also request reimbursement for any project related travel costs including mileage, hotel and a daily per diem based on the most current federal rates for all technical assistance/hourly related work. Hourly rate TA work will be billed monthy based on actual hours worked by each staff person.



# Appendix A – CDBG & HOME Client List

Entitlement/Participating Jurisdiction	State	Category	CP	ААР	CAPER	◆ Al	АҒН	ERR	Technical Services
Birmingham	AL	City			_		_		
Colorado Springs	CO	City	•	<b>*</b>		*	-		
Pueblo	CO	City	•	•		<u> </u>	-		
Norwalk	СТ	City	•			•		-	
Waterbury	СТ	City	•			*	-		
Delaware State Housing Authority	DE	State	*			<b>*</b>	-		
New Castle County	DE	County	*			-	-	-	
Wilmington	DE	City	<b>*</b>	*		_	-		
Brevard County HOME Consortium	FL	County	-	*	*			•	•
Lake County	FL	County		-	•		_	_	_
Lee County	FL	County	•				•	-	•
Palm Bay	FL	City	•	•	•			-	•
Sarasota	FL	City		-		<b>*</b>			
Sarasota County	FL	County		_		•		•	
Brunswick	GA	City		<b>*</b>	-			_	•
Columbus Consolidated Government	GA	City	*	<b>*</b>			-	-	<u> </u>
Fulton County	GA	County		*	<b>*</b>		1	-	<b>*</b>
Henry County	GA	County		•		+	-		_
Council Bluffs	IA	City		-	ļ	<u> </u>	-	-	
Davenport	IA	City	_	<b>—</b>	-	<b>*</b>	-		
lowa City	IA	City	•	<b>+</b>	•	+	-	-	
lowa Economic Development Authority	IA	Region	•		-	-	-	_	
Sioux City	IA	City	•	•			-		•
State of Iowa	IA	State		<b>—</b>					_
Waterloo - Cedar Falls, IA HOME Consortium	IA	Region		•	-	•		-	
Evanston	JL.	City	ļ	_	-	•		-	
Joliet	IL	City		-	-	•		-	
McHenry County	IL	County	•			<b>—</b>		-	
Moline	- IL	City			-	•	-	_	
Naperville	IL	City	-	-		_	•	-	
Oak Park	IL	City	•	-		<b>*</b>		-	
Rock Island	IL	City	-	-	ļ	<b>*</b>			
Will County		County		-		<b>*</b>	-		
Bloomington	IL	City	•	-		<b>+</b>			
Fort Wayne	IN	City		<u> </u>	ļ	*			
Kansas Department of Commerce	KS	State		<b>*</b>	-	•			
Wyandotte County & Kansas City Unified Govt.	KS	City	•			<b>-</b>			
Annapolis	MD	City	•				-		
Arundel Community Services, Inc.	MD	Org.					-		
Baltimore County	MD	County		<u> </u>					
Bowie	MD	City	•	•			-		
Gaithersburg	MD	City	-		-		-	-	
Prince George's County	MD	County						-	
Grand Rapids	MI	City					_		
Jackson	MS	City							
Burlington	NC	City				<b>*</b>			
High Point	NC	City	•					•	
Piedmont Triad Region	NC	Region				•			
Rocky Mount	NC	City	•	<b>!</b> •			<b>•</b>		

Entitlement/Participating Jurisdiction	State	Category	CP	ААР	CAPER	Ā	АҒН	ERR	Technical Services
Wake County	NC	County		<u></u>					_
Atlantic County Improvement Authority	NJ	County	•	•	•	•		•	•
Camden County	NJ	County	•	•	•	•			•
Clifton	NJ	City	•	•	•		ļ	•	
Gloucester Township	NJ	City				•			
Jersey City	NJ	City	•	<b>•</b>					•
Monmouth County	NJ	County							
Morris County	N3	County	•	•	•	•			•
Ocean City	NJ	City	•	•	•	•		•	•
Parsippany - Troy Hills Township	NJ	City	•	•	•	•			. •
Passaic County	NJ	County	•	•	•	•		•	•
Paterson	NJ	City	•	•	•				
Trenton	NJ	City	•	•					•
Wayne Township	NJ	City	•	•	•	•		•	•
Buffalo	NY	City	•	•		•			
County of Erie, ACT HOME Consortium	NY	Region	•	•		•			
New Rochelle	NY	City	•	•		•	•		
New York (State of)	NY	State				•			
Orange County	NY	County		1	•			•	•
Rochester	NY	City	•						
Yonkers	NY	City	<b></b>	<del>                                     </del>		•	1		
Canton	ОН	City	•	•		<u> </u>			
Cleveland	ОН	City	Ť	<del>l `</del>	<b>-</b>	•	1		
Cleveland Heights	ОН	City				<b>+</b>	-		
Cuyahoga County	ОН	County			-	1	-		
Dayton/Kettering, OH - HOME Consortium	ОН	Region	•			<u> </u>			
	OH	County		<b>                                     </b>		•	<del>                                     </del>	_	
Greene County	OH		•	-		<b>-</b>			
Lima		City		<b>!</b>		<del></del>	-		
Springfield	OH	City	<b>*</b>	-		-	-		
Youngstown	ОН	City	*	<b>+</b>	•	<b>-</b>	-	<b>*</b>	•
Abington Township (Montgomery County)	PA	City	•	-	-	<b>*</b>		•	
Allegheny County	PA	County	•		•	•			
Allegheny County Housing Authority	PA	County		-		$\vdash$		•	
Allentown	PA	City	•	•	<b>—</b>	•	-		_
Beaver County	PA	County	•		•			•	•
Bensalem Township	PA	City	•	•		•		•	•
Berks County	PA	County	•	•	•	•		•	•
Buck County	PA	County				•			
Carlisle Borough (Cumberland County)	PA	City	•	•					
Chester	PA	City	•						
Chester County	PA	County							
Coal Township	PA	City						•	
Cumberland County	PA	County	•	•		•			
Dauphin County	PA	County					•		
Dauphin County Housing Authority	PA	Org.						•	
East Stroudsburg	PA	City						•	•
Easton	PA	City		•	•			•	•
Erie	PA	City	•	•	•	•		•	•
Erie County	PA	County				•			•

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Entitlement/Participating Jurisdiction	State	Category	Cb	AAP	CAPER	AI	АҒН	ERR	Technical Services
Hazleton	PA	City	•	•	•	•		•	•
Hazleton Housing Authority	PA	Org.						•	<b>+</b>
Jeannette	PA	City							•
Johnstown	PA	City	•	•	•	•		•	•
Lebanon County	PA	County						•	•
Lehigh County	PA	County	•	•	•	•		•	•
Mahanoy City	PA	City	•						
McKeesport	PA	City	•			•		•	•
McKeesport Housing Authority	PA	Org.							•
Millcreek Township	PA	City	•	•		•			
Montgomery County	PA	County	•	•	•	•		•	•
Montgomery County Redevelopment Authority	PA	Org.							•
New Castle	PA	City						•	•
New Kensington Redevelopment Authority	PA	Org.							•
Norristown	PA	City	•		1				
Philadelphia Redevelopment Authority	PA	Org.					1		•
Pittsburgh	PA	City	•	•					
Pittston	PA	City	•				1	•	•
Pittston Redevelopment Authority	PA	Org.						•	•
Pottsville	PA	City		•			1	•	•
Pottsville Housing Authority	PA	Org.						•	•
Reading	PA	City	<b>*</b>	•	•	•		•	•
Redevelopment Authority of County of Washington	PA	County	•	•		•	İ	•	•
Reilly Township	PA	City							•
Rush Township (Carbon County)	PA	City						•	
Schuylkill County	PA	County			İ			•	•
Schuylkill Township (Schuylkill County)	PA	City						•	•
Shamokin	PA	City					1	•	
Somerset County Redevelopment Authority	PA	Org.						•	
St. Clair Borough (Schuylkill County)	PA	City	-		i			•	•
Union County	PA	County					1		•
Uniontown Redevelopment Authority	PA	Org.			1			•	•
Washington County	PA	County	•	•	•	•	*	•	
Washingon County Housing Authority	PA	Org.					1	•	
Waynesboro	PA	City						•	•
Westmoreland County	PA	County	•	•	•	•		•	•
Williamsport	PA	City	•	•	•	•	1	•	•
York	PA	City	•	+	•	<b>+</b>	1	•	•
Knox County	TN	County	•			Ė	T		<b>+</b>
Bexar County	TX	County	•						Ė
Corpus Christi	TX	City	•	•			t -		
Garland	TX	City	•	T T	1				
Round Rock	TX	City	•	•					
Temple	TX	City	•	<del></del>	<del> </del>	•	+	•	

Entitlement/Participating Jurisdiction	State	Category	CP	ААР	CAPER	AI	АҒН	ERR	Technical Services
Travis County	TX	County				•			
Waco	TX	City	•	•		•			
Williamson County	TX	County	•	•		•			
Arlington	VA	City				•			
Hampton	VA	City	•	•		•			
Hampton Roads Region	VA	Region				•			
Harrisonburg	VA	City	•			•	•		
Lynchburg	VA	City	•	•		•			
Portsmouth	VA	City							•
Roanoke	VA	City	ļ			•			
Staunton	VA	City	. •						
Waynesboro	VA	City	•	•					
Vermont Agency of Commerce & Community Dev.	VT	State				•			
Parkersburg	WV	City				•			