



## Request for Qualifications for Builders/Developers

### Responses Due to the [HLB Intake Form](#)

**No Later than 5 p.m. Central on Friday, July 26, 2024.**

Houston Land Bank (HLB), a local government corporation, requests Statements of Qualifications (RFQ) from builders/developers wishing to acquire land from the HLB for development or redevelopment under our traditional program. HLB's mission is to acquire vacant, abandoned, and deteriorated properties and convey those properties into productive use for the City of Houston. We aim to sell our inventory property to builders who want to participate in the organization's mission and produce new affordable single-family housing and complementary community development projects to support small businesses, community engagement, and the City of Houston's Complete Communities initiative. HLB welcomes proposals from builder for-profit or non-profit organizations, community housing development organizations (CHDOs), and other interested and capable parties.

The goals of this effort are to:

1. Qualify builders to be eligible for participation in the HLB lot sales
2. Organize builders by capacity/expertise and potential program areas
3. Encourage and support quality and efficient property development

This qualification process will establish a qualified pool of builders who will be added to an HLB-approved list (Approved Builder). Each Approved Builder from this RFQ will be eligible to purchase lots from HLB through December 31, 2026. Given the variety of sizes and conditions of land parcels, their geographic distribution, and the wide variety of goals of this new organization (and related programs), various builder/developer types are encouraged to apply. This qualification process will occur annually for interested builders. After successfully being selected as an Approved Builder, the builder must provide updated information after two years to remain on the Approved Builders list and comply with all contractual obligations. ***Residential builders interested in participating in lot acquisition from the Houston Land Bank must be qualified through this RFQ process to be eligible to purchase lots and must construct and sell homes per the Program Guidelines or related construction standards and specifications included as an attachment to this RFQ.***

### TO RESPOND:

Respondents must meet the criteria and approach described below and provide a complete submission and pay the \$100 non refundable application fee for consideration. Per the submission criteria below, please submit qualifications via the [HLB Intake Form](#) by 5 p.m. Central time on July 26, 2024. Respondents may ask questions regarding this solicitation by submitting via email to [procurements@houstonlandbank.org](mailto:procurements@houstonlandbank.org) by June 28, 2024, at 5 p.m. Central time. HLB will post written responses to all questions received by the deadline on the HLB website at [www.houstonlandbank.org](http://www.houstonlandbank.org) (please see the Procurements Section on the Resources page).



## **EXPECTED TIMELINE (SUBJECT TO CHANGE):**

- RFQ release: Friday, June 14, 2024
- Deadline for submitting questions: Friday, June 28, 2024, by 5 p.m. Central time
- RFQ responses are due: Friday, July 26, 2024, by 5 p.m. Central time
- Anticipated Board Consideration & Notification of Eligibility: September 2024
- Lot Release Anticipated: November 2024

## **BACKGROUND:**

Houston Land Bank (HLB), previously known as the Land Assemblage and Redevelopment Authority (LARA), was established as a local government corporation for the City of Houston in 1999 to facilitate the redevelopment of vacant and tax-damaged real estate in target Houston neighborhoods. LARA realigned its strategic activities better to serve neighborhood revitalization activity in the City of Houston and changed its name to reflect its core function. The City Council passed the Houston Land Bank's amended bylaws and articles of incorporation in August 2018. The Board of Directors includes representatives appointed by the City of Houston, Harris County, and the Houston Independent School District

HLB assembled its lot inventory over the past 20 years, typically at auction or by 'strike off' by the taxing entities presently represented on the HLB Board. The original and existing inventory exists in the 'HOPE' Neighborhoods that were a key focus of the City of Houston for many years, namely Settegast, Trinity Gardens, Acres Homes, Fifth Ward, and Sunnyside. HLB has over 450 lots in its inventory, with approximately half designated for the City of Houston's New Home Development Program. HLB intends to further assemble property for its inventory through various means, including direct acquisition, to provide additional affordable housing opportunities and more comprehensive community revitalization. HLB strives to be a strong, innovative partner in the equitable redevelopment of Houston neighborhoods and a good neighbor to the communities in which it is working.

Please note that prior experience with the Houston Land Bank is not required to submit a response.

## **BUILDER CATEGORIES**

To organize the various specialties and qualifications of builders, both for-profit and not-for-profit, HLB plans to organize builders in the categories listed below. You will be asked to select which of the following categories you are most aligned within your qualification response cover letter (you may select more than one, but HLB reserves the right to designate builders/developers to a different category than the one(s) suggested by respondents after reviewing submittals):

1. Master Community Builder: Capacity to support the development of small to mid-size



development districts in larger geographic areas or on larger parcels, based on a track record of completed clusters of single-family homes and demonstrated business. Experience of more than seven years with the applying company and at least one (1) completed mid to large-scale “ground up” residential project (25+ units or a combination of residential/commercial/infrastructure development).

2. Established Builder: Capacity for building on 5-10+ units on separate land parcels simultaneously, based on track record, and demonstrated business experience of more than five years with the applying company and at least ten (10) successfully completed “ground up” residential projects.
3. Startup Builder: Capacity for building on 1-4 units on separate land parcels at a time. Demonstrated successful business experience of completing At Least three (3) “ground up” residential construction projects (or of comparable size and scope subject to review) and at least two years with the applying company or entity. If “Startup Builder” is a new entity or partnership, one of the managing partners responsible for construction operations must demonstrate the same required experience.
4. Non-Traditional Builder: Capacity and demonstrated experience building with alternative building methods that differ from mainstream residential or commercial construction. Including but not limited to using natural building materials, environmental sustainability designs, modular building techniques, or construction of manufactured or “tiny homes.”
5. Rehab/Reconstruction services: Capacity and demonstrated experience in rehabbing/reconstructing single-family and multi-family homes.
6. Neighborhood Commercial or Community Facility Builder: Capacity to build smaller-scale commercial development or community facilities and be responsive to community needs and plans.



Please note that there are few lots/opportunities for categories 4, 5, and 6, which may only constitute a small percentage of Builders qualified.

**QUALIFICATION PROCESS AND EVALUATION CRITERIA:**

An evaluation committee will review and score submissions per the criteria listed below. After the initial evaluation of responses, the committee will develop a list of respondents meeting the technical competence requirement with a score of 75 and above. The selection committee may interview firms that score 70-74 to determine inclusion in the builder pool. The committee may then request that respondents on the list participate in an interview to gather more information on their capacity to perform. Although interviews may be used in the final evaluation process, respondent selection is not guaranteed. **Please note that the \$100 non refundable application fee must be paid for your submission to be considered.**

Evaluation criteria are to include:

1. Responsiveness of Submittal (Pass/Fail): Submittals must be complete and responsive and enable the evaluation committee to assess the respondent’s capabilities and experience adequately. The required pass/fail documentation includes the following:
  - o Cover Letter
  - o Statement of Qualifications
  - o Recent and Demonstrated Experience
  - o SOS Good standing documents
  - o Reference letters on reference organization letterhead
  - o Service Approach
  - o Financial **statements are required.** (The selection committee will accept a minimum of three bank statements within a years' time from application submission, certified audit reports and/or accountant-reviewed financial statements.
  - o Insurance/Bonding
  - o Proforma

If the above minimum documentation is not submitted, the response will be deemed non-responsive and will not move forward for review with the committee.

<b>Evaluation Criteria for Master Community Builder</b>	<b>Total Score (100)</b>
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<p><b>Qualifications:</b>          Relevant qualifications of the respondent, including but not limited to evidence of having built the required minimum projects as the prime</p>	<p><b>30</b></p>
<p>contractor, based on the category the builder is applying for, along with the addresses and duration of each project or time to completion.</p> <ul style="list-style-type: none"> <li>• Subcontractors/partners' qualifications</li> <li>• Organization chart</li> </ul>	
<p><b>Experience and Track Record:</b>          Past performance on similar construction/development projects (experience with LARA, HLB, or the City of Houston is not required to qualify in this round. However, if you were a LARA or HLB builder, you must address your track record of the past five years). You must include performance against budget and schedule details in any contract terms.</p> <ul style="list-style-type: none"> <li>• Experience working with qualified low- and moderate-income home buyers and related homebuyer financial assistance and educational programs.</li> <li>• Experience meeting goals for engagement of minority- or woman-owned business enterprises (MWBES), historically underutilized businesses (HUBs), or local small businesses with similar designations.</li> <li>• Experience with local hire and other local community-supported activities.</li> <li>• Experience building more than 10 single-family homes simultaneously.</li> <li>• Professional references (must include three letters on reference organizations' letterhead).</li> </ul>	<p><b>30</b></p>



<p><b>Capacity to Perform:</b></p> <ul style="list-style-type: none"> <li>• Financial and bonding capacity to begin construction/development promptly upon acquisition of property from HLB and to complete construction.</li> <li>• Demonstrated success in securing construction financing for larger development.</li> <li>• Construction on property acquired from HLB in a timely and proper manner. Respondents must verify their bonding capability and capacity in a statement addressed to the Houston Land Bank from a certified bonding company authorized to do business in the State of Texas.</li> <li>• Ability to provide quality construction/buildings supporting neighborhood values and plans.</li> <li>• Innovation in building materials and systems.</li> <li>• Capacity to execute when awarded lots within the contract-specified timeframe.</li> </ul>	<p><b>40</b></p>
<ul style="list-style-type: none"> <li>• Sample pro forma for typical home construction (see explanation below under “Requested Structure of Responses”).</li> </ul>	

<b>Evaluation Criteria for Established Builder, Startup Builder, Non-Traditional Builder, Rehab/Reconstruction services</b>	<b>Total Score (100)</b>
<p><b>Qualifications:</b>            Relevant qualifications of the respondent, including but not limited to evidence of having built the required minimum projects as the prime contractor, based on the category the builder is applying for, along with the addresses and duration of each project or time to completion.</p> <ul style="list-style-type: none"> <li>• Subcontractors/partners’ qualifications</li> <li>• Organization chart</li> </ul>	<p><b>30</b></p>



<p><b>Experience and Track Record:</b>          Past performance on similar construction/development projects (experience with LARA, HLB, or the City of Houston is not required to qualify in this round. However, if you were a LARA or HLB builder, you must address your track record of the past five years). You must include performance against budget and schedule details in any contract terms.</p> <ul style="list-style-type: none"> <li>• Experience working with qualified low- and moderate-income home buyers and related homebuyer financial assistance and educational programs.</li> <li>• Experience meeting goals for engagement of minority- or woman-owned business enterprises (MWBs), historically underutilized businesses (HUBs), or local small businesses with similar designations.</li> <li>• Experience with local hire and other local community-supported activities.</li> <li>• Scattered-site development experience.</li> <li>• Professional references (must include three letters on reference organizations' letterhead).</li> </ul>	<p><b>30</b></p>
<p><b>Capacity to Perform:</b></p> <ul style="list-style-type: none"> <li>• Financial and bonding capacity to begin construction/development promptly upon acquisition of property from HLB and to complete construction.</li> <li>• Construction on property acquired from HLB in a timely and proper manner. Respondents must verify their bonding capability and capacity in a statement addressed to the Houston Land Bank from</li> </ul>	<p><b>40</b></p>
<p>a certified bonding company authorized to do business in the State of Texas.</p> <ul style="list-style-type: none"> <li>• Ability to provide quality construction/buildings supporting neighborhood values and plans.</li> <li>• Innovation in building materials and systems.</li> <li>• Capacity to execute when awarded lots within the contract-specified timeframe.</li> <li>• Sample pro forma for typical home construction (see explanation below under "Requested Structure of Responses").</li> </ul>	

<p><b>Evaluation Criteria for Neighborhood, Institutional, or Commercial Builders</b></p>	<p><b>Total Score (100)</b></p>
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<p><b>Qualifications:</b>          Relevant qualifications of the respondent, including but not limited to evidence of having built the required minimum projects as the prime contractor, based on the category the builder is applying for, along with the addresses and duration of each project or time to completion.</p> <ul style="list-style-type: none"> <li>• Subcontractors/partners' qualifications</li> <li>• Organization chart</li> </ul>	<p><b>30</b></p>
<p><b>Experience and Track Record:</b>          Past performance on similar construction/development projects (experience with LARA, HLB, or the City of Houston is not required to qualify in this round. However, if you were a LARA or HLB builder, you must address your track record of the past five years). You must include performance against budget and schedule details in any contract terms.</p> <ul style="list-style-type: none"> <li>• Demonstrated experience with low-cost construction methods for neighborhood commercial builders.</li> <li>• Experience meeting goals for engagement of minority- or woman-owned business enterprises (MWBES), historically underutilized businesses (HUBs), or local small businesses with similar designations.</li> <li>• Experience with local hire and other local community-supported activities.</li> <li>• Professional references (must include three letters on reference organizations' letterhead).</li> </ul>	<p><b>30</b></p>
<p><b>Capacity to Perform:</b></p>	<p><b>40</b></p>





<ul style="list-style-type: none"><li>• Financial and bonding capacity to begin construction/development promptly upon acquisition of property from HLB and to complete construction.</li><li>• Construction on property acquired from HLB in a timely and proper manner. Respondents must verify their bonding capability and capacity in a statement addressed to the Houston Land Bank from a certified bonding company authorized to do business in the State of Texas.</li><li>• Ability to provide quality construction/buildings supporting neighborhood values and plans.</li><li>• Innovation in building materials and systems.</li><li>• Capacity to execute when awarded lots within the contract-specified timeframe.</li><li>• Sample pro forma for typical commercial construction.</li></ul>	
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### SUBMITTAL PROCESS:

Interested builders/developers must submit a response to this RFQ by 5 p.m. Central time on July 26, 2024, via the [HLB Intake Form](#).

Responses must be submitted in PDF format, use the following naming structure for your file: [Companyname\_HLBBld24] and include the information below. The selection committee will not consider incomplete, late responses or submissions without the \$100 non refundable application fee. The timestamp in HLB's Intake Portal will determine the time of submittal/ receipt.

Requested Structure of Responses:

Responses may not be more than 40 pages (8.5x11) using standard font sizes and margins and must include the following:

1. **Cover letter (Scored under Qualifications)**

- Contact information, including your name, business name, physical address, email address, phone number, and website address (if your company has a website).
- Introduction of 150 words or less about how your business aligns with the mission of the Houston Land Bank.
- Builder Status: For-profit, non-profit, CHDO, or other appropriate designation.
- Proposed Builder Category: Please select as many categories as you are eligible for from the "Builder Categories" list above; please note that HLB reserves the right to reclassify builders/developers based on a review of submittals.
- Geographic Experience: Where have you previously built, and where are you



planning to build in the near future?

- Neighborhood Presence: How do you work with residents and participate in community initiatives where you build?
- Track Record: Any past experience working with LARA/City of Houston or other public entities, including any ongoing projects yet to be completed? Any open or ongoing HLB project must be accompanied by your most recent builder update report and an explanation of if the project has been delayed from the original contract agreements.

## 2. Statement of Qualifications (Scored under Qualifications)

**Personnel:** Please provide a brief organizational summary and review of relevant experience for the individual submitting the response and for the corporation or firm identified as lead, along with a professional bio and review of relevant experience for any anticipated subcontractors/partners.

- Leadership Team (Resume summaries for lead organizational staff)
- Organizational chart as proposed to complete work specifically internal vs. external components or 'self-performing' functions vs. subcontract management (this should reflect subcontractor participation where applicable and include related brokers/realtors and any other outside agencies/partners necessary for completion/sale).

## 3. Recent and Demonstrated Experience (Scored under Experience and Track Record)

Please provide a written response and examples to address the following points (If more than five examples from the past five years, please submit a summary table):

- Quality buildings executed recently (may be residential or commercial), please provide at least three (3) illustrative examples with addresses.
  - Successful quality and cost control planning strategies and results. Please provide at least one illustrative example.
  - Producing quality homes at affordable pricing. Please provide at least one illustrative example.
  - Working with qualified low- to moderate-income homebuyers. Please provide at least one illustrative example.
  - Working with local community/neighborhood groups and local hiring/sourcing.
  - Meeting or exceeding code requirements for health/safety, energy efficiency, and other building quality measures, including experience with strategies to protect property against fire and flooding risk.



- Please identify other construction/development your firm is currently involved in (e.g., if you also serve as a contractor or sub-contractor to another builder).
- Examples of delivering commercial property for below the budgeted amount. Or deployment of cost-effective techniques or materials.

**4. References (Scored under Experience and Track Record)**

Please provide three letters of reference detailing your work performance and contact information for each reference (including names, phone numbers, and email addresses) who can speak to your construction/development performance. References from regulatory authorities based on work performed for that entity (e.g., city, county, or state governments) are preferred. Letters of support from organizations or elected officials are not preferred.

**5. Service Approach (Scored under Capacity to Perform)**

Please respond in a brief paragraph about your availability, capacity, and experience in the execution of affordable housing. We will be qualifying builders who will be able to build on lots within a short time frame of the award and need to understand how quickly a company can mobilize at lot purchase. Additionally, please explain your approach to quality control and design/materials, and any innovative strategies you are working with to align cost to affordability goals.

**6. Financials (Scored under Capacity to Perform)**

- Letter of support from at least one financial institution you have secured or plan to secure construction financing.
- Last three years of tax returns for corporations, **OR** if Startup Builder, sole proprietorship or managing member partner, last two years of personal tax return statements including an income statement, cash flow statement and balance sheet, entities for which corporate financials are unavailable. The selection committee recommends an audit or reviewed accounting statement
- A full disclosure of any events, litigation, liabilities, or contingent liabilities that could affect the respondent’s financial ability to perform **OR** other financial information sufficient for HLB, in its sole judgment, to determine whether the respondent is financially solvent or adequately capitalized.

**7. Insurance & Bonding Capability (Scored under Capacity to Perform)**

Demonstration of the minimum adequate insurance which shall include the following:

Coverage	Limit of Liability
Worker’s Compensation	Statutory Limits for Worker’s Compensation
Employer’s Liability	Bodily Injury by Accident \$1,000,000 (each accident) Bodily Injury by Disease \$1,000,000 (policy limit) Bodily Injury by Disease \$1,000,000 (each employee)



Commercial General Liability Including Contractor's Protective Liability, Broad Form Property Operations, Damage, Contractual Liability, Bodily Injury, Personal Injury and Products and	Combined single limit of \$1,000,000 each occurrence, subject to general aggregate \$2,000,000; Products and Completed \$1,000,000 aggregate
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Completed Operations (for a period of one year following completion of the Work under this Contract)	
Owners and Contractors Protective Liability	\$1,000,000 combined single limit each Occurrence/Aggregate
Automobile Liability Insurance (for vehicles Contractor uses in performing under this Contract, including Employer's Non- Owned and Hired Auto Coverage)	\$1,000,000 combined single limit
Excess Coverage	\$1,000,000 each occurrence/combined aggregate in excess of the limits specified for Employer's Liability, Commercial General Liability, and Automobile Liability

Please note that insurance requirements for project-specific amounts may vary or change. The respondent must submit evidence of bonding capacity or ability to obtain the same.

**8. Sample Pro Forma on HLB-Supplied Template (Scored under Capacity to Perform)**

- For new construction, please provide a typical budget for a sample home of approximately 1,200- 1,500 square feet with at least three bedrooms and two bathrooms on a single-family lot. The sample pro forma should identify cost strategies that support and/or challenge the ability to achieve a project at a price point that is available to low- and moderate-income buyers. Additionally, it should list typical sources, including any expected bank financing.
- If you apply for Rehab/Reconstruction services, please provide examples of completed, fully rehabilitated homes and corresponding sales prices. The sample pro forma should identify cost strategies that support and/or challenge the ability to achieve the project at a price point that is available to low- and moderate-income buyers.
- If you are applying only for commercial construction, you should provide current market pricing information for construction and leasing costs for the types of projects that you have recently completed.

**9. Certifications, awards, and other related distinctions-HUB, MWDBE, Better Builder, etc. If City of Houston MWDBE, please provide Statement of Certification and Compliance.** (Please note that these are not a requirement and will be scored as additional points if submitted)

**10. Certifications, awards, and other related distinctions-HUB, MWDBE, Better Builder, etc. If City of Houston MWDBE, please provide Statement of Certification and Compliance.** (Please note that these are not a requirement and will be scored as additional points if submitted)

The Houston Land Bank reserves the right to reject all submissions deemed



nonresponsive, to waive all requirements, and to cancel this request for qualifications at any time. Changes to this request for qualifications will be posted at [www.houstonlandbank.org](http://www.houstonlandbank.org)



**ATTACHMENT**

**PROGRAM GUIDELINES**

**WITH CONSTRUCTION STANDARDS AND SPECIFICATION**



**HOUSTON LAND BANK  
TRADITIONAL HOMEBUYER PROGRAM GUIDELINES**

**Last Revised and Reviewed by Board of Directors March 2022**

**I. INTRODUCTION AND AUTHORITY**

The objective of the Houston Land Bank Traditional Homebuyer Program (Program) is to support the City of Houston's goal of making quality affordable homes available to low and moderate-income homebuyers. The Houston Land Bank (HLB) accomplishes this by transforming vacant land to new homes as quickly as possible and providing lots for Homebuilders at below market prices to develop affordable housing; in exchange the Houston Land Bank requires Homebuilders to sell the newly constructed homes at or below a capped price to income-eligible homebuyers.

These guidelines will govern the implementation of this program. The staff of the HLB will administer the program in accordance with its customary policies and procedures set by the Board of Directors of HLB, and City of Houston Code of Ordinances. The President and CEO (President) or a Designee will have approval authority for administrative matters related to the Houston Land Bank Traditional Homebuyer Program and may delegate said authority by authorization of the Board of Directors.

**II. DEFINITIONS**

**"Approved Homebuilders"** means a homebuilder that has successfully qualified through the annual Houston Land Bank Builder Request for Qualifications in the categories of Start-up Builder or Established Builder.

**"Committee"** means Houston Land Bank Real Estate and Development Committee (READ Committee).

**"Contract"** means HLB contract with Approved Homebuilder for the development of Affordable Housing on a lot purchased through the Program.

**"Established Homebuilder"** means an experienced builder who has successfully completed at least 10 "ground up" single family residential construction projects. These builders will be eligible to purchase twelve (12) lots in each round but can have no more than twenty-four (24) total at one time.



**“Fair market value”** means the market value of a lot as determined by an appraisal.

**“Guidelines”** Means the Houston Land Bank Traditional Homebuyer Program Guidelines (Guidelines).

**“Income Eligible Homebuyers”** means a homebuyer whose income has been certified by the Housing and Community Development Department at or below 120% of the Area Median Income (AMI).

**“Hold Lot”** means each Approved Homebuilder may have up to one additional lot put on hold once they reach their maximum number of lots if an application has been submitted for a lot during lot sales and they are the successful bidder. The Approved Homebuilder may not close on their Hold Lot until one of their current lots reaches 80% of the construction phase.

**“Lot”** means an HLB lot made available for sale to an Approved Homebuilder through the Program. Please note that each HCAD is considered an HLB lot for purposes of submitting proposals to purchase, and only one home can be built on each HLB Lot unless multiple are approved during the lot sale process.

**“Minimum Standards”** means minimum quality standards, construction timelines and financial requirements as outlined in Section II Aiii.

**“Maximum Sales Price”** means the maximum amount for which an Approved Builder is authorized to sell their home to an Income Eligible Homebuyer under the Guidelines.

**“Start-Up Builder”** means start-up builders who have proven and/or documented construction experience but little or no experience with selling their products to “income qualified” buyers. Assumptions are these builders can effectively oversee and manage the entire construction process from design, permit, and daily construction operations through issuance of Certificate of Compliance from the City of Houston with some guidance/coaching but may need assistance and guidance in navigating the various components of sales processes necessary to sell to income eligible homebuyers. Start Up Builder’s applying entity will be required to demonstrate experience of at least (3) three “ground up” single family residential construction projects or of comparable size and scope. If “Start-Up Builder” is a new entity or partnership one of the managing partners, responsible for construction operations, will be required to clearly demonstrate the same required experience. These builders will be eligible to purchase up to four (4) lots in each round but can have no more than eight (8) total at one time.

### III. LOT SALES

Approved Homebuilders will be eligible to purchase lots through the Program subject to restrictions as outlined in the Guidelines.

#### A. Lot Prices

Lots for purchase through the Program will be made available to Approved Homebuilders at a fixed price discounted from the lot's Fair Market Value (FMV). The price of each lot will be based on comparable neighborhood or submarket FMVs, its construction readiness, and marketability for proposed single family residential use.

#### B. Builder Lot Selection

To purchase a lot through the Program, Approved Homebuilders will be required to submit a proposal for the lot they would like to purchase; the proposal will be submitted online along with backup material which includes:

- i. Proposed floorplan, Elevation, w/ named exterior finishes—i.e., Hardisiding, brick, etc.
- ii. Minimum Building Standards Checklist (submitted on template form)
- iii. Construction Proforma and timeline with proposed maximum sales price to income-qualified homebuyer and sales price per square foot(submitted on template form)
- iv. Construction Financing Commitment
- v. Proof of Ownership and Officers of Corporation, Corporate Entity Documents

#### C. Maximum Lot Selections

Approved Builders will be able to submit a proposal for each lot available for sale but will be limited to a total number of lots that they may be awarded in each round based on the builder category.

- i. Established Builder- Limited to 12 lots.
- ii. Start-Up Builder-Limited to 4 lots.

#### D. Hold Lot

Approved Homebuilders may be issued a Hold Lot from a previous round of lot sales if they were the successful bidder and have reached their maximum amount of lots. The Approved Builder may not close on their Hold Lot until at least one of their current lots under construction have reached 80% completion of construction. Upon notification that the Approved Builder has been awarded a Hold Lot, the Approved Builder must close on the Hold Lot before purchasing another lot.

#### E. Required Acknowledgements

Approved Homebuilders will submit each proposal with a signed acknowledgment of having read the Houston Land Bank Traditional Homebuyer Program and Contract Terms and Conditions.

## F. Unexpected Development Delays

There may be certain circumstances where an Approved Homebuilder runs into a significant development delay that is beyond their control, such as something that is demonstrable and related to the condition of the lot that was unknown at the time of purchase from HLB, which may cause an unexpected interruption in the construction timeline of the home. HLB and the READ Committee will evaluate each circumstance on a case-by-case basis and provide a timeline extension. In addition, READ may determine if the Approved Homebuilder may be allowed to purchase an additional lot to help prevent any homebuyer losses currently under contract, or substantial revenue deficiencies. The authorization to purchase the additional lot will supersede any current caps on the maximum amount of lots allowed to the Approved Homebuilder in each category and will be based on their experience and capacity to develop the additional lot.

However, delays not subject to extenuating and/or unforeseen circumstances beyond an Approved Builders control will be subject to HLB acting on their Repurchase Rights outlined in Article 3.05 of the Lot Agreement. The Deed provides for various repurchase options in favor of HLB if Approved Builder (i) fails to commence construction of a Residence prior to the Construction Commencement Date, (ii) fails to complete construction of a Residence within 7 days after the Construction Completion Date, or (iii) attempts to sell or convey the Lot prior to commencement of construction of a Residence. The repurchase price under items (i) and (iii) is the Lot Purchase Price paid for such Lot less any unpaid taxes and assessed Monetary Damages. The repurchase price under item (ii) is the Lot Purchase Price paid for the Lot plus certain construction costs as verified and approved by HLB in writing, less any unpaid taxes and assessed Monetary Damages.

## G. Approved Homebuilder Proposal Scoring and Selection Process

The top three proposals submitted by Approved Homebuilders (meeting minimum standards outlined in these Guidelines) will be determined by the lowest proposed sales price per square foot of living space of the home. HLB staff will evaluate proposals to ensure they meet minimum standards of the Program (as outlined in these Guidelines). The top three proposals of the lowest sales price per square foot meeting minimum standards will be reviewed by the HLB Staff and assigned a maximum of **50 points** based on:

- i. Neighborhood Design Appropriateness (Whether design fits with Neighborhood); 15 points
- ii. Home enhancements in addition to the Minimum Standards (Features that increase quality of life, home efficiency, and lower long term maintenance cost for the homebuyer); 15 points
- iii. Proposed sales price per square foot (As originally proposed). 15 points

- iv. Track Record (Demonstrated ability to advance the sale of a home to a qualified homebuyer in this Program). 5 points

The top scorer will be recommended to the Houston Land Bank Board's READ Committee for approval. Once approved by the READ Committee, the recommendation will be sent to the HLB Board of Directors for consideration. Upon approval by the HLB Board of Directors, the Approved Homebuilder will be notified that they are eligible to purchase the lot from the HLB and will:

- i. Sign a contract for purchase and development of the lot.
- ii. Pay earnest money for the purchase of the lot; and
- iii. At closing, record a Deed of Trust to Secure Performance in favor of the Houston Land Bank, which is forgiven at the satisfactory closing to an income qualified homebuyer. HLB otherwise will be able to recover damages if the Approved Homebuilder fails to perform according to the Houston Land Bank Traditional Homebuyer Program Guidelines and Contract Terms and Conditions.

## **II. BUILDER REQUIREMENTS & RESTRICTIONS**

### **A. Minimum Standards and Plan Specifications**

Approved Homebuilders participating in this program will be required to meet minimum standards for quality, construction timelines, and construction financing as outlined in the Guidelines and approved by the READ Committee:

- i. Meet or Exceed the Minimum Quality Standards for residential construction for the applicable Tier as outlined in the attached "Exhibit A."
- ii. Meet or Exceed Construction timelines as outlined in the Contract Term sheet.
- iii. Meet Construction Financing Requirements as outlined below:
  - a. Construction Financing letter of commitment from a lender in the amount of the total cost of construction or a bank account statement evidencing said amount.
  - b. In lieu of Commitment Letter a Builder may secure a performance bond in the amount of the total cost of construction.

Plans and specifications and any modifications for each home after the initial award must be approved by the READ Committee.

Digital copies Final City of Houston Permitted Plans along with related COH Project Numbers will be submitted immediately upon receipt. to HLB as record of final 'Approved' plans and specifications for that contract per COH Final Approval. Failure to submit these documents in a timely manner and/or upon HLB request may result in penalties per Sect.VI

**B. Minimum ADA Compliance Requirements:**

The Houston Land believes in providing housing options to allow our residents to age in place. The main requirement for an ADA-compliant bathroom and kitchen/common area is accessibility for those who might encounter difficulty moving around. The Americans with Disabilities Act is a civil rights law that protects the equal rights of persons with disability to accessible features.

The main entrance door, at least one bathroom, and the common area/kitchen must be ADA compliant for single-family homes.

**C. Construction Site and Contractor Standards**

Approved Homebuilders and their subcontractors participating in the Program will be required to maintain adequate insurance as outlined in the Contract Terms throughout the entire term of construction.

Approved Homebuilders and their subcontractors participating in the Program will be required to maintain a construction site that does not adversely affect neighbors and exhibits HLB's good neighbor values.

**D. Construction Deadlines**

Approved Homebuilders selected to purchase a lot will be required to adhere to the proposed construction timeline or be subject to penalties which may include liquidated damages as determined by the READ Committee. An Approved Homebuilder unable to meet the proposed construction timeline must submit a request for adjustments to the proposed timeline detailing:

- i. Barriers preventing the adherence to the construction timeline (must be beyond the Approved Homebuilder's ability to control); and
- ii. Proposed new timeline (must be limited to a window of time that is necessary to resolve the expressed barrier).

The Houston Land Bank READ Committee will review staff recommendations and requests, then note an adjustment to the construction timeline for the Approved Homebuilder in their file.

**E. HLB Neighborhood Advisory Committee, and Marketing**

The Houston Land Bank neighborhood advisory committee will consult, advise, and score a maximum of 15 points for all builder submissions. The committee shall advise on:

- i. Scale, Façade, floor plan, and materials (0-5 pts)
- ii. Community Engagement & Need (0-5 pts)
- iii. Equitable Housing Practices (0-5 pts)

Approved Homebuilders participating in the Program will be required to provide notice to property owners on the street block where new home construction is being proposed via site signage.

One notification sign is required facing the street by which the home's front door is facing.

- i. include builder's name, contact information (*e.g. monitored website, email address and phone number*)
- ii. indicate Houston Land Bank as a partner with HLB's logo and website
- iii. be a minimum size of 60x30 with lettering legible from the street  
stay erected no less than 21 days prior to home closing (*please inquire with HLB if an example of a sign is needed*)

## **F. Construction Progress Reports and Audits**

Approved Homebuilders will be required to submit monthly online updates into HLB's property management system reporting the progress of construction of a new home on the lot purchased through the Program. This requirement must be completed on or before the first business day of each month. If there is no progress from the previous month or are no updates, Approved Homebuilders will be required to report a "No Change in Status" report. Construction progress reports submitted by Approved Homebuilders will be subject to monthly review and HLB staff reserves the right to perform more detailed Quality Assurance/Quality Control (QA/QC) inspections on any and all homes built under the Program. If there are discrepancies with the Construction Progress Reports submitted by Homebuilders and the HLB QA/QC inspections, Homebuilders may be required to submit clarification to the READ Committee. Multiple and/or consecutive "No Change in Status" reports or multiple and/or consecutive discrepancies in Homebuilder provided reports and QA/QC inspections may be subject to penalties as outlined in Section VI(b) of the Guidelines. Approved Homebuilders failing to submit the required construction progress reports will be subject to penalties as outlined in Section VI(b) of the Guidelines.

## **G. Homebuyer Eligibility**

Approved Homebuilders must sell homes developed on lots purchased through the Program to homebuyers whose incomes are at or below 120% of the Area Median Income, unless otherwise stated in the Lot Sale advertisement/listing and assure that the homebuyer has taken a homebuyer education class of at least 8 hours (and received a certificate).

Eligible homebuyers must be income certified by the City of Houston Housing and Community Development Department. As of July 2021: This process begins by emailing [info@houstonlandbank.org](mailto:info@houstonlandbank.org) with the subject line: **HLB Traditional Program Income Certification Request** so that a Homebuyer Assistance Program (HAP) number can be requested. Once a HAP number is provided for the homebuyer, they may submit all required documentation via an online portal on the City of Houston Housing and Community Development Department (HCDD) website.

Approved Homebuilders must submit a copy of the homebuyer's Income

Certification and Homebuyer Education Certificate to HLB before closing with the homebuyer in order to be approved for closing. Approved Homebuilders failing to do so will be subject to penalties as outlined in Section VI of the Guidelines. *HLB may make updates to this process as those processes are revised by HCDD. Homebuilders are required to comply with any changes.*

Eligible Homebuyers, if applicable, may use any means to close on the home including Community Land Trust (CLT) programs and/or any other Homebuyer Down Payment Assistance benefits as a method for qualifying for the purchase of these homes.

#### **H. Approved Homebuilder Eligibility Requirements**

Approved Homebuilders must successfully be qualified through the annual Houston Land Bank Request for Qualifications in the categories of Start-Up Builder or Established Builder. To maintain eligibility Approved Homebuilders must:

- i. Be current on all property taxes owed to taxing jurisdictions in HarrisCounty and Federal Business or Personal Income Taxes;
- ii. Be in compliance with existing contracts with the HLB and its predecessor agency name Land Assemblage RedevelopmentAuthority; and
- iii. Not be currently assessed a P4 Violation-Program Suspension.

#### **I. Program Prohibitions and Restrictions**

Approved Homebuilders participating in the Program shall be prohibited from reselling a lot purchased from the HLB to anyone not approved by the READ Committee.

Approved Homebuilders participating in the Program shall be prohibited from reassigning ownership of a lot purchased from HLB to anyone not approved by the READ Committee.

Approved Homebuilders participating in the Program shall be prohibited from deviating from the sales contract with regard to the City of Houston Approved constructions plans, modifying the final sales price to homebuyer, or re-plating or subdividing lot(s) purchased from HLB without the written approval and/or consent from the READ Committee, or the HLB Board of Directors, or both.

Violations of this subsection could result in the assessment of penalties outlined in **Section VI** of these guidelines.

#### IV. Home Sales Price Framework

The current HLB Board of Directors approved New Homes Sales Price Framework is as follows:

Three Approved Price Categories – LOW, MED, HI

LOW = \$115,000 - \$165,000  
MED = \$165,000 - \$225,000<sup>[081]</sup>  
HI = \$225,000 - \$285,000

Price Category Criteria

LOW = (750 – 1,100 SF conditioned space) at least 2 bedrooms/1 full bathroom, Tier III Construction Standards

MED = (1,101 – 1,400 SF conditioned space) at least 3 bedrooms/2 full bathrooms, Tier II Construction Standards

HI = (1,401+ conditioned space) greater than 3 bedrooms/2 full bathrooms, Tier I Construction Standards

Each home built by an Approved Homebuilder shall be sold at the individually contracted sales price based on the submitted plans and proforma during the lot sale process, unless a price increase request is approved.

#### V. Contract Amendments

##### Price Increase Requests

Approved Builders currently under contract may request a Sales Price increase from their contractually obligated Sales Price. ALL requests for Sales Price Increases must submit the following supporting information to be considered for review:

- i. Builder Request Form
- ii. Old Proforma
- iii. New Proforma – with statement as to where costs have increased and why?
- iv. Invoices/Quotes to evidence additional or increased cost
- v. Summary of request including amount of increase requested, reasons for the request, and other remedies or potential resolutions the Builder has exhausted

##### Plan/Specification Requests

Each Approved Builder currently under contract who wishes to request approval for a significant construction plan and/or construction specification change must submit the following supporting information to be considered for review:

- i. Builder Request Form – summarizing the change, reasons for the change, and any impact on construction timeline or Sales Price.
- ii. Old Plans
- iii. New Plans



#### iv. Site Plan

Once submitted, the plans/specifications change request will be reviewed by the READ Committee and if approved, will be communicated to the Approved Builder. The new plans/specs will be noted and saved within the Approved Builder's file.

## VI. DEFAULT AND REMEDIES

### Generally

Failure of an Approved Homebuilder to meet the terms and conditions of the Contract and or any provision of the Guidelines will subject such Approved Homebuilder to penalties and possible recapture action.

Penalties may be assessed to an Approved Homebuilder by HLB staff with approval of the READ Committee.

#### i. Specific Violations

1. Failure to notify community
2. Failure to submit timely reports
3. Failure to maintain proper construction site standards
4. Failure to adhere to construction timeline
5. Failure to build to approved plans and specifications
6. Multiple citations
7. Unauthorized assignment of ownership
8. Failure to complete construction.

#### Penalties

- a. **P1:** Point Deductions (Affects future lot selection)
- b. **P2:** Monetary Damages (Secured by Deed of Trust to Secure Performance)
- c. **P3:** Lot Revocation (Approved Homebuilder may forfeit lot for violation of certain Program Guidelines and Contract Terms and Conditions)
- d. **P4:** Program Suspension (Approved Homebuilder barred from future participation in HLB Home Development Program for a period of one year)

## VII. COMPLAINTS AND APPEALS PROCESS

HLB has developed a complaint and appeals process, for both homebuyers and Approved Homebuilders.

Homebuyers seeking to file a complaint against an Approved Homebuilder may submit the complaint in writing and send to: or mail to:

Houston Land Bank  
P.O. Box 131106  
Houston, TX 77219

Homebuyer complaints will be reviewed by HLB staff to determine what actions if necessary are to be taken. Approved Homebuilders found to be in violation of the terms of the contract and or the guidelines will be notified within three business days of such determination and shall be given three business days to respond with a plan to remedy the violation. Approved Homebuilders failing to remedy the violation shall be subject to penalties outlined in Section VI of the Guidelines. Approved Homebuilders seeking to file a complaint shall do so in accordance with the terms and conditions of the contract.

### III. REGULATORY CONSIDERATIONS

#### Fair Housing Act

The federal Fair Housing Act prohibits discrimination in all housing transactions based on race, color, national origin, sex, religion, handicap, or familial status (having children under the age of 18). Homebuyers that feel they have been discriminated against can contact:

#### U.S. Department of Housing & Urban Development – Fair Housing & Equal Opportunity

*Discrimination inquiries and/or complaints*

800-669-9777 (Voice)

1-800-927-9275 (TTY)

HUD Local 713-718-3199

(Ask for a FHEO) [www.hud.gov/offices/fheo](http://www.hud.gov/offices/fheo)

OR

#### Texas Workforce Commission

Civil Rights Division

1-888-452-4778 (Voice)

1-800-735-2989 (TTY)

EXHIBIT A

MINIMUM RESIDENTIAL CONSTRUCTION STANDARDS AND SPECIFICATIONS

## TIER I, TIER II, TIER III

**TIER III = (750 – 1100 conditioned SF), at least 2bd/1bth, NO GARAGE 1yr warranty, Central HVAC 16 SEER, vinyl double paned low E glass windows, at least R – 19 in walls R – 30 in ceiling insulation, appliances = New & all to be of same MFG stove/cooktop, built in microwave , garbage disposal, dishwasher, kitchen and bathroom counter tops to be of water resistant material, if material is pourous and requires sealant- sealant shall be applied**

**TIER II = (1100 - 1400 conditioned SF), at least 3 bd/2bth, 1 car/carport, 1-3 yr warranty, central HVAC 18 SEER, vinyl double paned low E glass windows, at least R-19 in walls R – 30 in ceiling insulation , appliances = New & all to be of same MFG stove/cooktop, built in microwave, garage disposal, dishwasher, kitchen and bathroom counter tops to be of granite or comparable materials**

**TIER I = (1401+ conditioned SF), greater than 3 bd/2bth, 2 car garage, 3+ yr warranty, central HVAC 20 SEER, vinyl double paned low E glass argon gas filled windows, R – 19 in walls R – 30 in ceiling insulation , appliances = New & all to be of same MFG stove/cooktop, built in microwave, garbage disposal, dishwasher kitchen and bathroom counter tops to be of granite or comparable materials**

## MINIMUM RESIDENTIAL CONSTRUCTION STANDARDS & SPECIFICATIONS

Return your completed excel files to [info@houstonlandbank.org](mailto:info@houstonlandbank.org)

Houston Land Bank  
Revised: Mar 2022

**Terminal Objective: To construct a single-family home under the new Tier Structure and Framework subject to COH approved plans,subject to sealed engineered plans as required, and subject to the specifications detailed below.**

Name of Builder:	
Offer Submission Date:	
List All Plan numbers and Names that apply	
List Sq footages of all Plans that apply	

**If any conflicts between any specifications listed or detailed below and project relevant COH permit approved Engineered or Sealed Plans and Notes/Details exist, Then the relevant permit approved Engineered or Sealed Plans and specifications or construction notes will govern. If no Engineered or Sealed Plans or Notes/Details exist or apply, these specifications will be the MINIMUM construction standard or requirement.**

1 Sitework	Standard Met
<p>a. <u>Site Clearing</u>: All trees/structures within 3 linear feet of building footprint have been removed &amp; hauled away</p> <p>b. <u>Site Drainage</u>: Final grade for positive drainage per minimum COH Code Enforcement standards--drain to ROW not crossing property lines--to include NO PONDING or STANDING WATER, after 24hrs of rain event, within 2 linear feet of any slab on grade nor ponding under house or in crawl spaces if pier &amp; beam foundation. NO PONDING or STANDING WATER, after 24hrs of rain event, in/around walk or pathways to/from main front/back entrances of home</p> <p>c. <u>Drainage, Culverts, and Sidewalks</u>: as required/determined by site specific COH permitting standards per Structural and/or Civil Engineer sealed plans and notes/details.</p> <p>d. <u>Driveways</u>: as required/determined by site specific COH permitting standards, per structural engineer sealed plans and note details.</p> <p>i. <b>Width: Per COH approved site plan or others related</b></p> <p>ii. <b>Material: At least 3000 psi Concrete</b></p> <p>iii. <b>Thickness: 6" at approach or in ROW, 4" at parking pad</b></p> <p>f. <u>Landscaping</u>: as required/determined by site specific COH permitting standards</p> <p>i. Sod on Yard--St. Augustine or comparable</p> <p>1. Coverage of entire yard</p> <p>ii. Decorative landscape package:</p> <p>1. Front: Minimum COH permit required trees &amp; calipers plus decorative shrubs, bushes, and/or flowers. New mulch around all new trees and in all flower beds</p> <p>g. <u>Fencing</u>:</p> <p>i. Minimum 6' tall privacy wooden fence w/ treated or cedar lumber pickets and concrete set posts to enclose the backyard</p> <p>ii. At least (1) one access gate with ability to lock. Provide padlock and keys.</p>	
2 Foundation and Structure:	
<p>a. <u>Geotechnical and/or Soils Report</u>: Site specific geotechnical report REQUIRED for REQUIRED Sealed Structural Plans</p> <p>b. <u>Foundation and Structural Components</u>: REQUIRE design per sealed structural engineer plans AND per COH permitting requirements &amp; approvals</p> <p>c. <u>Building Pad</u>: remove 18" existing soils within building footprint including 12" overburden, replace w/ 18" compacted select fill</p> <p>d. <u>Types of allowable foundations</u>: <b>Slab on Grade &amp; Pier-and-Beam, others by review &amp; approval. Other foundation designs will REQUIRE a submission of related sealed structural and/or geotechnical engineered drawings and reports.</b></p> <p>i. <u>Slab on Grade</u>: at Least 3000 psi concrete, 6" slab, 1'x2' perimeter &amp; interior beams, #4 rebar 18" OC, post tensioned, or per sealed structural engineered plans &amp; specs</p> <p>ii. <u>Pier &amp; Beam</u>: Pier design, depth, dimension, and number will REQUIRE geotechnical and structural sealed plans &amp; notes. Beams/Subflooring by engineer design or minimum 6x10 wood beams 8' OC, 2x12 floor joists 18" OC, decking to be 1-1/2" tongue and groove deck boards. Plywood, OSB, or comparable</p> <p>e. <u>Walls and/or Structural Framing &amp; Windstorm design</u>: REQUIRE sealed/engineered plans and specifications</p> <p>f. <u>Off-Site built, Pre Manufactured Structural Components, or Modular Structures</u>: TBD upon submittal of Sealed/Engineered Plans and Specifications</p>	
3 Exterior:	
<p>a. <u>Exterior Materials</u>: Siding to be Hardi, Cedar, Pine, Brick/Stone other comparable. Sealed and Painted to provide adequate weather protection to ensure exterior materials do not peel, flake, warp, or fade. Exterior materials to coincide w/ primary neighborhood conditions</p>	

