



**TEMPLE REVITALIZATION
CORPORATION**

**TEMPLE REVITALIZATION CORPORATION
DEVELOPER PROGRAM GUIDELINES**

Introduction

The objective of the Temple Revitalization Corporation Developer Program (the “Program”) is to support the TRC’s goal of carrying out certain Economic Development Activities and Community Development Program Activities as set forth in TRC’s Property Transfer Policy. TRC accomplishes these goals by transferring property to experienced and approved Developers so that the property may be reactivated as productive parcels that can generate property taxes, stimulate community and economic investment, and meet a stated Public Purpose outlined in the Property Transfer Policy. The intent of the Program is to establish a fair and equitable process for property conveyance to a wide range of qualified developers and builders.

The TRC Officers will administer these Guidelines in accordance with any policies and procedures set forth by the TRC Board of Directors. The TRC President will have approval authority for administrative matters related to the Developer Program and may delegate that authority to other Officers, as appropriate.

Definitions

“**Approved Developer**” means a developer or builder that has successfully qualified through the TRC Request for Qualifications process or has been designated as an Approved Developer by the TRC President in the categories of Start-up Developer or Established Developer.

“**Development Project**” means the development of a TRC Lot that may require rezoning, platting, and/or infrastructure improvements to meet TRC’s Minimum Standards.

“**Established Developer**” means an experienced developer or builder who has successfully completed at least ten “ground up” residential, commercial, or retail construction projects. Established Developers will be eligible to purchase up to four lots at one time but can have no more than eight lots under development at one time and will be eligible to pursue and build one Development Project at a time.

“**Fair Market Value**” means the market value of a lot as determined by an appraisal, or other method chosen by the TRC Officers.

“**Guidelines**” means the TRC Developer Program Guidelines.

“**Lot**” means a TRC lot made available for sale to an Approved Developer through the Program. Please note that each Bell County Appraisal District Property Identification Number is considered a TRC Lot for purposes of submitting proposals to purchase, and only one home can be built on each TRC Lot unless construction of multiple homes is approved during the sale process.

“**Minimum Standards**” means minimum quality standards, construction timelines, and financial requirements that TRC requires for a specific Lot or Development Project.

“**Start-up Developer**” means start-up developers or builders who have successfully completed at least four “ground up” residential projects or at least two commercial or retail construction projects. Start-up Developers will be eligible to purchase up to two lots at one time but can have no more than four lots under development at one time.

1. Request for Qualifications

In accordance with TRC’s Property Transfer Policy, TRC will issue a Request for Qualifications (“RFQ”) to identify Approved Developers. The goals of the RFQ process are to (1) qualify developers and builders to be eligible for participation in TRC Lot sales and Development Projects; (2) organize developers and builders by capacity and expertise; (3) encourage and support quality and efficient property development; and (4) ensure that the transfer and development of TRC Lots accomplishes the Public Purposes outlined in the Property Transfer Policy.

(a) The Qualification Process

The RFQ process will establish a qualified pool of developers and builders to be added to a TRC approved list. Each Approved Developer from the RFQ process will be eligible to purchase Lots from TRC. Given the variety of sizes and conditions of land parcels, their geographic location, and the broad variety of goals of the TRC, a variety of builder and developer types will be encouraged to apply. After being identified as an Approved Developer, the Developer will need to provide updated information every two years to remain on the list of Approved Developers, as well as stay compliant with all obligations under any then-existing contract between the Approved Developer and TRC. Unless approved otherwise by the TRC President, all Developers interested in participating in Lot acquisition from TRC must be qualified through this RFQ process to be eligible to purchase Lots and must construct any building or development in accordance with the Guidelines and any contractual obligations.

(b) Developer Categories

To organize the various specialties and qualifications of developers, TRC organizes respondents in the categories listed below. Each respondent will be asked to select which of the following categories it is most aligned with:

- (i) Established Developer:** Must have the capacity, based on track record, to build multiple units on separate land parcels at the same time, must demonstrate relevant business experience of more than five years, and must have successfully completed at least ten ground up residential, retail, or commercial projects.
- (ii) Start-up Developer:** Must have the capacity, based on track record, for building one to four projects on separate land parcels at a time, must demonstrate relevant business experience of at least two years, and must have successfully

completed at least four ground up residential projects or at least two commercial or retail projects. If the Start-up Developer is a new entity or partnership, one of the managing partners who is responsible for construction operations will be required to clearly demonstrate the required experience.

(c) Qualification Process and Evaluation Criteria:

An evaluation committee will review and score submissions in accordance with the evaluation criteria listed below. After initial evaluation of responses, the committee will develop a list of respondents meeting the evaluation criteria with a score of 75 and above. The committee may then request that respondents on the list participate in an interview to gather more information on their capacity to perform.

Evaluation criteria include:

(i) Responsiveness of Submittal (pass/fail):

Submittals must be complete and responsive. The evaluation committee must be able to adequately assess the respondent's capabilities and experience. The required pass/fail documents include:

- (1)** Cover letter;
- (2)** Statement of Qualifications (see Request for Qualifications for required information to be included in this section);
- (4)** References; and
- (5)** Insurance/bonding.

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.

(ii) Qualifications (30 points):

The respondent must describe its relevant qualifications, including but not limited to evidence of having built the required minimum projects as the prime contractor based on the category the respondent is applying for, along with the addresses and duration of each project or time to completion.

(iii) Experience and Track Record (30 points):

The respondent must provide the following:

- (1)** Past performance on similar construction/development projects (experience with TRC is not required to be qualified, but if the respondent has performed other similar projects for TRC or for the City of Temple (the "City"), respondent must address its track record over the past five years);

- (2) Scattered-site development experience; and
- (3) Professional references (must include at least three).

(iv) Capacity to Perform (40 points):

The respondent must provide evidence of the following relating to developments the respondent has completed:

- (1) development of quality construction/buildings in support of neighborhood values and plans;
- (2) use of innovative building materials and systems; and
- (3) capacity to begin development when awarded lots, within contract specified timeframe.

(d) Loss of Approved Developer Status

TRC reserves the right to disqualify any Approved Developer from the Program if the Approved Developer breaches any agreement with TRC, fails to provide requested information to TRC within a reasonable time after such information is requested, fails to further the Public Purposes outlined in TRC's Property Transfer Policy, or in any way fails to further the Program goals. TRC will provide written notice of removal to the Approved Developer and such notice will outline the reasons for TRC's decision. TRC Officers may make the decision to remove an Approved Developer from the Program with or without the approval of the Board of Directors.

2. Lot Sales

After successfully completing the RFQ process or receiving approval by the TRC President, Approved Developers will be eligible to purchase lots through the Program subject to the restrictions as outlined in these Guidelines.

(a) Lot Prices

Lots for purchase through the Program will be made available to Approved Developers at a fixed price based on the Lot's Fair Market Value. TRC may offer a Lot for purchase at a fixed price that is discounted from the Lot's Fair Market Value. The price of each Lot may be determined by comparable market values, the Lot's construction readiness, and marketability for the proposed use.

(b) Lot Selection

To purchase a Lot through the Program, Approved Developers will be required to submit a proposal for the Lot they would like to purchase. The proposal must include the following:

- (i) Proposed floorplan and elevations with named exterior finishes;
- (ii) Minimum Building Standards checklist which will be provided by TRC for each Lot;
- (iii) Construction pro forma and timeline;
- (iv) Construction financing commitment; and

- (v) Proposed use of the Lot – residential, commercial, or retail, information about future ownership of the Lot once developed, and if requested by TRC, information about the Approved Developer’s experience working with qualified low- and moderate-income home buyers, and related homebuyer financial assistance and education programs.

(c) Maximum Lot Selections

Approved Developers 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 based on the builder category:

- (i) **Established Developer** – may purchase up to four Lots at one time and is limited to a total of eight Lots at any point in time and may purchase one Lot for a Development Project at any one time; and
- (ii) **Start-up Developer** – may purchase up to two Lots at one time and is limited to a total of four Lots at any point in time.

(d) Approved Developer Proposal Scoring and Selection Process

The evaluation committee will evaluate all Approved Developer proposals and will score the proposals and assign a maximum of 50 points based on:

- (i) **Neighborhood design appropriateness – whether design fits with existing neighborhood:** 15 points;
- (ii) **Any building or development enhancements in addition to the Minimum Standards:** 15 points;
- (iii) **Proposed use of the Lot (residential, commercial, retail, etc.) and compatibility with existing or surrounding uses:** 15 points; and
- (iv) **Approved Developer’s track record – demonstrated ability to complete quality projects:** 5 points.

The selected Approved Developer will be recommended by the evaluation committee to the Board of Directors for approval. Upon approval by the Board of Directors, the Approved Developer will be notified that it is eligible to purchase the Lot(s) from the TRC. The Approved Developer will be required to sign an agreement covering the purchase and development of the Lot(s). The Approved Developer may also be required to record a Deed of Trust to secure performance in favor of TRC, which will be forgiven upon substantial completion of the improvements on the Lot(s). TRC otherwise will be able to recover damages if the Approved Developer fails to perform according to these Guidelines and the specific agreement terms.

3. Development Projects

TRC owns several Lots that may require rezoning, platting, and infrastructure improvements before development can begin. These Development Projects will be available to Established Developers only. As allowed by TRC’s Property Transfer Policy, TRC may authorize the conveyance of a specific Lot for a Development Project through a noncompetitive sale without first undertaking the methods of disposition set forth in these Guidelines. The determination of whether to pursue a Development Project

through a noncompetitive sale will be within the complete discretion of the TRC Officers and Board of Directors.

4. Developer Requirements and Restrictions

A. Minimum Standards

Approved Developers participating in the Program will be required to meet minimum standards for quality, construction timelines, and construction financing as outlined in these Guidelines:

- (i)** Meet or exceed the Minimum Standards for construction as TRC may establish for a specific Lot;
- (ii)** Meet or exceed construction timelines as outlined in the agreement between TRC and the Approved Developer; and

(iii) Meet construction financing requirements by providing a signed statement to TRC (1) confirming that the Approved Developer has obtained a financing letter of commitment from a lender in the amount of the total cost of construction, (2) has sufficient cash to pay for the cost of construction, or (3) has secured a performance bond in the amount of the total cost of construction (a copy of which must be provided to TRC).

B. Construction Site

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

C. Contractor Standards

Approved Developers participating in the Program will be required to provide usual and customary insurance as outlined in the agreement between TRC and the Approved Developer.

D. Construction Progress Reports and Audits

Approved Developers will be required to submit monthly updates reporting the progress of construction of the improvements on the Lot(s) purchased through the Program.