



MURIEL BOWSER
MAYOR

JUN 27 2018

OFFICE OF THE
SECRETARY

2018 JUN 27 PM 3:33

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

D.C. Official Code § 42-3171.03(a) requires that prior to disposition of PADD properties, there be a public hearing and a 60-day Council review of a proposed resolution of the terms and conditions of the disposition. I have enclosed, for consideration by the Council of the District of Columbia, the Property Disposition Agreement (PDA) between the Department of Housing and Community Development (DHCD) and North Star Properties, LLC, to dispose of the property located at Square: 6239; Lots: 0059 and 0060, also known as 62-64 Forrester St SW in Ward 8. The developer has proposed to construct two single family homes, one on each site. Each home will have 5 bedrooms and 2 bathrooms. The homes will be made affordable at incomes between 80% and 120% of the area median income.

As always, I am available to discuss any questions you may have regarding the Property Disposition Agreement. In order to facilitate a response to any questions concerning this Property Disposition Agreement, please have your staff contact Latrena Owens, Chief of Staff, DHCD at (202) 442-6972.


I look forward to your favorable consideration of this Property Disposition Agreement.

Sincerely,

A handwritten signature in black ink that reads "Muriel Bowser".

Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution which was referred to the Committee on April 24, 2018

To approve the sale of certain real property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “62-64 Forrester Street, SW Disposition Approval Resolution of 2018.”

Sec. 2. (a) Pursuant to section 433(a)(2) of the Due Process Demolition Act of 2002 (D.C. Law No. 14-114; D.C. Official Code § 42-3171.01 *et seq.* (2012 Repl. and 2017 Supp.)) (the “Act”), the Mayor transmitted to the Council a request for Council authority to dispose by means of negotiated sale the District-owned real property located at 62-64 Forrester Street, SW in Washington, D.C., known for tax and assessment purposes as Lots 0059 and 0060 in Square 6239.

(b) The negotiated sale shall be subject to the following terms and conditions, in addition to such other terms and conditions as the Mayor deems necessary and appropriate:

- (1) The Property shall be sold to Developer(s) selected by the Mayor;
- (2) The Developer(s) shall cause the Property to be developed and sold only to Eligible Buyer(s);

36 (3) The Developer(s) shall cause any Affordable Unit(s) developed and sold or
37 rented to be affordable to persons with incomes between 80% and 120% of the area median
38 income, as specified by the Mayor;

39 (4) The Developer(s) shall enter into a CBE Utilization and Participation
40 Agreement with the District of Columbia Department of Small and Local Business
41 Development (“DSLBD”).

42 (5) The Developer(s) shall enter into a First Source Employment Agreement
43 with the District of Columbia Department of Employment Services;

44 (6) The Developer(s) shall be current on any obligations outstanding to any
45 agency or entity of the Government of the District of Columbia, whether or not related to the
46 disposition or the Property, including all local taxes and charges affecting Developer(s);

47 (7) The Developer(s) shall be validly organized, existing and in good standing to
48 do business in the District of Columbia;

49 (c) For purposes of section 2:

50 (1) “Affordable Unit(s)” shall mean a unit to be sold or rented to a household
51 whose income is equal to, or less than, the maximum area median income (“AMI”) percentage
52 set forth for that unit, with AMI being the periodic AMI calculation provided by HUD as a
53 direct calculation without taking into account any adjustments made by HUD for the program it
54 administers.

55 (2) “CBE Utilization and Participation Agreement” means an agreement with
56 the Department of Small and Local Business Development governing certain obligations of the
57 Developer(s) of the Properties under the Small, Local, and Disadvantaged Business
58 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33, D.C.

59 Official Code § 2-218.01, *et seq.*), as amended, requiring contracting and employment of local,
60 small businesses for at least 50% of all the pre-construction and construction of the
61 improvements contemplated in this resolution.

62 (3) “Developer(s)” means a person, persons, entity, or entities that develop(s)
63 real estate for commercial or residential use.

64 (4) “Eligible Buyer” shall mean a household consisting of one (1) or more
65 individuals who purchases the property as a primary residence and certifies that he, she, or they
66 intend(s) to use the property as his, her, or their primary residence. For all Affordable Unit(s),
67 Eligible Buyer shall also mean a household meeting the income restrictions of an Affordable
68 Unit(s).

69 (5) “First Source Agreement” means an agreement with the District of Columbia
70 Department of Employment Services, governing certain obligations of the Developer(s) of the
71 Properties pursuant to section 4 of the First Source Employment Agreement Act of 1984,
72 effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order
73 83-265 (November 9, 1983) regarding job creation and employment generated as a result of the
74 construction contemplated in this resolution.

75 (d) In accordance with § 433(a)(1) of the Act, before disposition of the Property, there
76 shall be a public hearing on the proposed terms and conditions of the disposition after at least 30
77 days public notice.

78 Sec. 3. The Council adopts the fiscal impact statement in the committee report as the
79 fiscal impact statement required by section 602(c)(3) of the Home Rule Act, approved
80 December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

81 Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its
82 adoption, to the Office of the Mayor and the Chief Financial Officer.

83 Sec. 5. This resolution shall take effect immediately

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Housing and Community Development



PROPERTY DISPOSITION SUMMARY

Pursuant to DC Official Code § 42-3171.03(a) requires that prior to disposition of PADD properties, there be a public hearing *and* a 60-day Council review of a proposed resolution of the terms and conditions of the disposition.

(A) The proposed contractor, contract amount, unit and Method of Compensation, contract term, and type of contract:

Proposed Contractors:	North Star Properties, LLC
Contract Amount:	Two Hundred Sixty Two Thousand Five Hundred Dollars (\$262,500.00).
Unit and Method of Compensation:	N/A
Type of Contract:	Property Disposition Agreement (“PDA”) for purchase of real property
Term of Contract:	PDA shall terminate upon Satisfaction of Terms (as defined in the PDA) or a failure of a condition of Settlement.
Proposed method of transfer:	Special Warranty Deed

(B) Description of the goods and services to be provided:

62-64 Forrester St SW, Sq. 6239 Lots 0059 and 0060

The developer has proposed construction of two single family homes. Each home will consist of 5 bedrooms and 2 bathrooms and will be affordable to households earning between 80% and 120% of the Area Median Income (AMI).

(C) A description of the selection process, including the number of offerors, the

evaluation criteria and results, and the basis for selecting the proposed contractor:

Pursuant to D.C. Official Code § 42-3171.03 (2012 Supp.), the District offered for sale through a competitive process the Property for the purpose of eliminating or reducing blight by providing for the disposition and development of the Property at the highest bid price at an auction held January 18, 2018 through January 23, 2018 ("PADD Auction"), provided that the successful bidder agrees to develop or rehabilitate a single-family or multi-family affordable workforce housing project approved by the District on the Property in accordance with a property disposition agreement ("PDA") between the District and the successful bidder. The Developer was the successful bidder at the PADD Auction.

(D) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and prior performance on contracts with the District government:

Developer has provided DHCD with documents evidencing their ability to enter into the Contract. Please see attached PDA.

(E) Performance standards and expected outcomes of the proposed contract:

The terms of the purchase are subject to the PDA. Upon Council approval of the PDA, the District and the Proposed Developer will proceed to settlement of the transaction, whereby the District will transfer all of its interest in the Property to the Developer through a Special Warranty Deed.

Upon Transfer, the Developer is expected to fully develop and construct the premises in accordance to a schedule provided by the Developer. The evidence of completion shall be a Certificate of Occupancy issued by DCRA.

(F) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with Sections 47-392.01 and 47-392.02:

Please see attached financial certification and budget authority.

(G) A certification that the proposed contract is legally sufficient and has been reviewed by the Office of the General Counsel, including the proposed contractor's/proposed grantor's compliance with District and federal tax laws:

Submission of the proposed Purchase Agreement includes a certification of legal sufficiency by the Office of the General Counsel

- (H) A certification that the proposed contractor is current with its District and Federal taxes and has worked out and is current with a payment schedule approved by the District or federal government:**

Please see the attached clean hands certificate for the Developer provided by the Office of Tax and Revenue.

- (I) The status of the proposed contractor as a certified local, small or disadvantaged business enterprise (LSDBE).**

The Developer is not a Certified Business Enterprise (CBE).

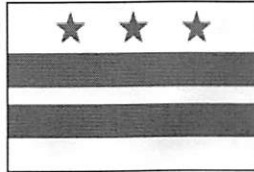
- (J) Other aspects of the proposed contract that the Chief Procurement Officer deems significant:**

Not Applicable

- (K) A statement indicating whether the proposed contractor is currently debarred from providing services to any governmental entity (federal, state, or municipal), the dates of the debarment, and the reasons for debarment:**

Please see attached Debarment Affidavit.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CORPORATIONS DIVISION



C E R T I F I C A T E

THIS IS TO CERTIFY that all applicable provisions of the District of Columbia Business Organizations Code (Title 29) have been complied with and accordingly, this **CERTIFICATE OF GOOD STANDING** is hereby issued to

North Star Properties L.L.C.

WE FURTHER CERTIFY that the domestic filing entity is formed under the law of the District on 4/9/2015; that all fees, and penalties owed to the District for entity filings collected through the Mayor have been paid and Payment is reflected in the records of the Mayor; The entity's most recent biennial report required by § 29-102.11 has been delivered for filing to the Mayor; and the entity has not been dissolved. This office does not have any information about the entity's business practices and financial standing and this certificate shall not be construed as the entity's endorsement.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the seal of this office to be affixed as of 4/24/2018 1:59 PM

Business and Professional Licensing Administration



A handwritten signature in cursive script that reads 'Patricia E. Grays'.

PATRICIA E. GRAYS
Superintendent of Corporations
Corporations Division

Muriel Bowser
Mayor

Tracking #: 94X6yGXP

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer
Office of Tax and Revenue



CLEAN HANDS CERTIFICATION

NAME/BUSINESS: NORTHSTAR PROPERTIES

ADDRESS: 1003 K ST NW STE 637
WASHINGTON, DC 20001-4414

FEIN/SSN: XX-XXX-2920

The Office of Tax and Revenue certifies that the taxpayer is:

- In Compliance – the taxpayer has complied with all applicable tax laws and payment requirements of the District of Columbia.
- Not In Compliance
- a. Taxpayer must report to OTR at 1101 4th Street SW, Washington, D.C. 20024, Suite 270 to pay in full or make payment arrangement to obtain a Certificate of Clean Hands
- or
- b. Contact Department of Employment Services, if applicable.


Authorized Signature

4/24/2018
Date

DEBARMENT AFFIDAVIT

I, [Representative], HEREBY ATTEST THAT all members of the development team, who are listed below, are not listed in the List of Parties Excluded from Federal Procurement or Non-Procurement Programs.

DEVELOPMENT TEAM

Developer: NORTH STAR PROPERTIES INC.

Consultant(s): GIANNI NUCCI

Management Agent: GIANNI NUCCI


Attorney: ANTHONY PALEGGI

Civil Engineer(s): ADAM CARNDOLLA

Other(s):

I FURTHER ATTEST THAT no principal, major stockholder, officer, or director of a development team member is debarred from participating in a federal procurement or non-procurement program.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

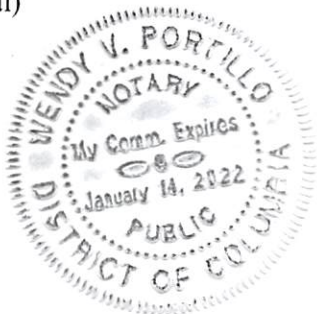

Type Representative Name Here Gianni Nucci

President
Title

Date 5/3/18

Sworn and subscribed to before Me this 3 day of MAY, 2018 .

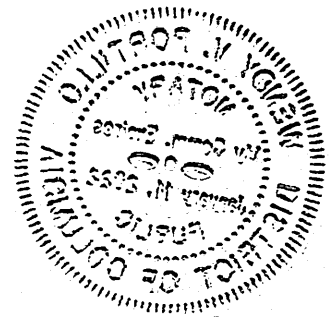
Notary Public
(Seal)



State of DC County of Washington
Subscribed and sworn before me on 05/03/2018
Wendy V. Portillo
(Notary Signature)

[Faint, illegible text throughout the page, likely bleed-through from the reverse side.]

State of _____
County of _____
Subscribed and sworn before me on _____ (Date)
_____ (Notary Signature)



GOVERNMENT OF THE DISTRICT OF COLUMBIA

PROFILE SUMMARY

(CONTRACTs TO PURCHASE, DISPOSE, ACQUIRE, TRANSFER, LEASE OF REAL PROPERTY/ EXCLUSIVE RIGHT AGREEMENTs/LOANs & GRANTs OVER \$1M/INTRA-DISTRICT.)

Contracting Agency: Dept. Housing and Community Development Agency Code:

Using Agency: Agency Code:

Loan/Grant/Lease Sub recipient Name: North Star Properties, LLC

Should the Authority have any questions regarding this loan/grant/lease, please contact:

Latrena Owens
Chief of Staff

202-442-6972
Telephone Number

TYPE OF DOCUMENT SUBMITTED

1. <input type="checkbox"/> Loan/Grant/Lease Modification	4. <input type="checkbox"/> Unwritten or Informal Contract
2. <input type="checkbox"/> Exercise of Grant Option Year (E. O.)	5. <input type="checkbox"/> Lease of Real Property
3. <input type="checkbox"/> Loan/Grant/Lease Agreement for:	6. Other: Purchase and Sale Agreement

LOAN/DISPOSITION TYPE

1. <input type="checkbox"/> Grant	4. <input type="checkbox"/> Cost Reimbursement
2. <input checked="" type="checkbox"/> Disposition Price \$ 262,500.00	5. <input type="checkbox"/> Time and Material
3. <input type="checkbox"/> Task Order	6. <input type="checkbox"/> Advance Payment

GRANT/LOAN/DISPOSITION INFORMATION

Grant/Loan/Disposition No. : DHCD
 Amt. Required This FY: N/A
 Caption: North Star Properties, LLC

Amount: \$262,500.00 (PADD)
 Amt. Required Next FY: NA
 Grant/Loan Term: N/A

Interest Rate: 0%

Does this Grant/Disposition Amount exceed \$1 million: Yes No

If yes, please attach a copy of the DC Council approval and provide the following information:

Date received:

Date approved:

LEASE INFORMATION

Lease No.: N/A

Total Cost: N/A

Location: N/A

Annual Cost: N/A

Sq. Ft. Leased: N/A

Cost Per Sq. Ft.: N/A

Total Bldg. Sq. Ft.: N/A

% Sq. Ft. Leased By D.C.: N/A

BRIEF DESCRIPTION OF GRANT/LOAN/LEASE

SOURCE OF FUNDING

1. <input type="checkbox"/> Appropriated	4. <input type="checkbox"/> Intra-District
2. <input type="checkbox"/> Capital	5. <input type="checkbox"/> Inter-Jurisdictional
3. <input type="checkbox"/> Grant ()	6. <input checked="" type="checkbox"/> Other: Check at Closing

If procurement action is funded by grant or other non-capital or non-appropriated funds, will the District need to expend some portion of its funds prior to receiving funds from the grantor or other funding source?

Yes No N/A

If Yes, indicate the amount the District will need to expend and the percentage this amount represents of the total funds required to support the effort. District Funds \$

% _____.

CRITICAL ISSUES ASSOCIATED WITH GRANT/LOAN ACTION

1. Is this Disposition/Loan one of multiple (more than one) Grants/Loans for similar goods, services, etc., awarded by the Agency to this subrecipient, or related entity, within the last twelve (12) months?
 Yes No

2. Have reserved funds been obligated for payment? (If Yes, ensure documentation is included in Grant/Loan File).
 Yes No

3. Is the File complete? (If Yes, please attach pertinent documentation).
 Yes No

4. Is the subrecipient a successor to or affiliated with another individual or business that has Grant/Loan with the Agency?
 Yes No

If Yes, name of Predecessor/Affiliate:

5. Is a former District employee an owner, officer, or affiliate of the subrecipient?
 Yes No

If Yes, Name and Affiliation:

Please discuss any other critical issues such as time constraints; health and safety issues; or financial/revenue production issues that should be known.

FUTURE INFORMATION/DOCUMENTATION TO BE SUBMITTED TO AUTHORITY

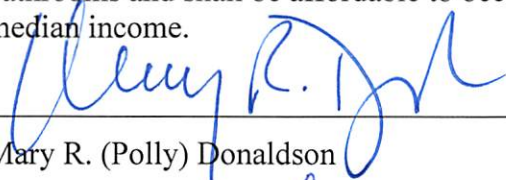
IF Grant/Loan IS AWARDED

1. <input type="checkbox"/> Award Date	4. <input type="checkbox"/> Claims By/Against Grant/Loan
2. <input type="checkbox"/> Expiration Date	5. <input type="checkbox"/> Certified Completion Date
3. <input type="checkbox"/> Amendments	6. <input type="checkbox"/> Final Payment Date

CERTIFICATIONS

I certify that this proposed Property Disposition Agreement between the Department of Housing and Community Development and North Star Properties, LLC, in the amount of \$262,500.00 for the disposition and development of certain parcels is in compliance with the applicable Federal and District of Columbia Regulations and the Department of Housing and Community Development's (DHCD) policies and procedures.

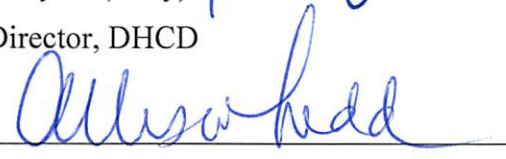
The project is located at 62-64 Forrester St SW, also known as Square 6239; Lots 0059 and 0060, in Ward 8. The disposition/sale of certain vacant land parcels from the Department will be used to develop two single family homes. Each of the homes will consist of 5 bedrooms and 2 bathrooms and shall be affordable to occupants at incomes between 80% and 120% of the area median income.



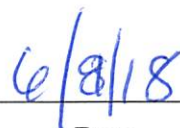
Mary R. (Polly) Donaldson
Director, DHCD



Date



Allison Ladd
Deputy Director



Date

I have reviewed this Grant/Loan/Disposition action and have determined that it is within the District's Financial Plan and Budget for FY 2018 and that funds are available to support the action.



Beth Spooner
Agency Fiscal Officer, DHCD



Date

DETERMINATION

I have reviewed this Grant/Loan/Disposition action and have determined that it is within the District's Financial Plan and Budget for FY 2018 and that funds are available to support the action.



Cyril Byron, Jr.
Associate Chief Financial Officer



Date



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



MEMORANDUM

TO: Muriel C. Bowser
Mayor

FROM: Kathy Charles-Christian *ke*
Assistant General Counsel
Department of Housing and Community Development

DATE: April 30, 2018

SUBJECT: **Proposed Property Disposition Agreement (“PDA”) Between the District of Columbia, acting by and through the Department of Housing and Community Development (the “District” or “DHCD”), and North Star Properties, LLC, (the “Developer”) to dispose of the real property located at Square: 6239; Lots: 0059 and 0060, also known as 62-64 Forrester Street, SW, Washington, D.C., in Ward 8 (the “Property”)**

Pursuant to the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002, (D.C. Law 14-114; D.C. Official Code § 42-3171.03(a) (2012 Supp.)), the District offered the Property for sale through a competitive process at the highest bid price at an auction held January 18, 2018, through January 23, 2018, (“PADD Auction”). The Developer was the successful bidder at the PADD Auction and has agreed to develop two single family homes on the Property in accordance with the terms and conditions set forth in the proposed PDA between the District and the Developer. The two for-sale housing units will be affordable to workforce households earning no more than 120% of the area median income. A public hearing required by D.C. Official Code § 42-3171.03(a)(1) was held on April 4, 2018, to discuss the proposed terms and conditions of the Property disposition.

The Office of the General Counsel for DHCD has reviewed the attached PDA and has determined that it is legally sufficient. If you have any questions concerning this PDA, please contact Kathy Charles-Christian at 202-442-7226.

cc: Polly Donaldson, Director, DHCD
Allison Ladd, Deputy Director, DHCD
Latrena Owens, Chief of Staff, DHCD
Taura Smalls, Legislative Affairs Specialist, DHCD