

# PDM

## Update 2018-R1 Update to PDM Version 2017.12.01

Publish Date: December 14, 2018

Effective Date: January 01, 2019

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PDM Chapters listed below are the only Chapters affected by this update and supersede all earlier published versions of the listed chapters.

This update applies only to projects that apply for OHCS funding on or after January 1, 2019. Some additional and important applicability exclusions apply per the OHCS Technical Advisory (TA) related to this update issued in December 2018.

Projects that, as of December 31, 2018, have applied for, have received a reservation for funding, or are exempt from this update per the OHCS TA referenced in the above paragraph will continue to use the appropriate PDM version (based on when the project applied for OHCS funding) without the inclusion of this update.

This update includes the following PDM Chapters only:

Chapter 1.1 PDM Purpose & Use  
Chapter 1.3 Applicability  
Chapter 1.5 General Conditions (New Chapter)  
Chapter 3.0 Application Requirements Overview  
Chapter 3.1 CDD Checklist  
Chapter 3.2 CDD Format and Content Requirements  
Chapter 4.0 DPP-Overview  
Chapter 4.1 DPP-Design Phase  
Chapter 5.1 BPRs-Development Codes & Regulations  
Chapter 5.2 BPRs-Development Team Requirements  
Chapter 6.0 DSO-Introduction & Instructions  
Chapter 7.1 Sustainable Development Standards  
Appendix P.1 Construction Cost Estimate Requirements

Also Included in this update:

Appendix B.1 CNA Requirements  
(This is a duplicate of version 2018.07.27 (EI) published earlier this year.)

### **Important:**

Projects to which this update applies must ensure that the Chapters listed above are used in place of the Chapters that are included within the 2017.12.01 version of the PDM.

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## PDM Purpose & Use

### 1.1.01\_ What is the PDM?

The Project Development Manual (PDM) defines the Department's requirements and expectations related to project due-diligence, planning, design, rehabilitation, and the construction aspects of housing development when making housing related improvements. The PDM is distinguished from the Department's funding allocation and program compliance manuals and guides by its specific focus on Core-Development activities e.g. those activities associated with the physical planning, creation, modification, and delivery of housing funded by the Department.

The PDM is applicable to housing projects that are seeking new funding from the Department and to projects involving modifications or additions to properties that already exist within the Department's Asset Management Portfolio (AMP) even when such projects are not seeking new funding from the Department.



#### Quick Start Guide

For a quick, high level overview of how to use of this Manual see the PDM's Quick Start Guide located in Chapter 1.4.

### 1.1.02\_ The PDM and its Connection to Other Department Issued Guidance Manuals and Documents (Associated Documents)

The PDM, and the Core-Development requirements and conditions that are the focus of this manual, are integrally connected to the funding allocation, underwriting, and program compliance requirements that are the focus of the manuals and documents listed below. Because of this close connection between Department functions and the overlap that Core-Development has with these functions, it is critical that Project Owners and the appropriate Project Team members familiarize themselves with all of the Associated Documents listed below (as may be applicable to each project).

#### Associated Documents

- OHCS General Policy and Guidance Manual
- OHCS Program Manuals (associated with the type of funding being sought)
- OHCS Qualified Allocation Plan (QAP) (applies to LIHTC funded projects only)
- OHCS Notice of Funding Availability (NOFA)
- OHCS Reservation and Conditions Letter
- OHCS Technical Advisories
- Executed Legal Documents (Project-Owner/OHCS)

### 1.1.03\_ Why OHCS Development Standards and OHCS Project Involvement is Important

The Department's Development Standards serve a number of purposes that stem, in large part, from its unique stakeholder position in the project:

#### 1) Housing Beyond Code

Beyond the life-safety, health, and accessibility requirements that are mandated by Federal, State and Local development codes there are affordability, livability, sustainability, and durability priorities that are not necessarily addressed by the development codes. The Department believes that the 'beyond code' priorities just cited must also be expressed and that a commitment to these priorities is fundamental to achieving meaningful gains in both

# 1.1 Introduction

## PDM Purpose & Use

housing opportunity and livability for Oregonians. Along with its stipulation that all externally mandated codes and regulations pertaining to housing be fully complied with, the PDM outlines the Department’s current ‘beyond code’ priorities for development of successful affordable housing.

2) The Long View

Because the Department, and by extension the Oregon public, maintain a 60 year or more interest in the health and viability of Department funded properties as affordable housing assets, the Department’s Development Standards serve to support and influence project decision making that is based on the best long-term financial and physical performance of these assets.

3) A Platform for Consistent and Supportive Engagement

The PDM provides an open and transparent platform and process from which the Department can engage on a predictable and consistent basis with project stakeholders in the support of housing development that meets the collective goals of all stakeholders.

4) Legislative Mandate and the Public Interest

As the primary steward of public funds that are deployed via Department administered programs, the Department is required by legislative mandate to establish standards to which Department funded projects are to be held. Development Standards given in the PDM have been, and continue to be developed and enhanced to meet or exceed the public’s expectations for efficiently produced, qualitative, and durable affordable housing solutions in Oregon.

### 1.1.04 An Evolving Work

The PDM is a living, evolving document designed to be adaptive to rapidly changing social and economic influences on housing development. The Department continuously seeks out and incorporates input from the development, design, and construction communities in the ongoing development of the PDM. Repeat users of the PDM are advised to refer to Chapter 1.2 where they will find a brief synopsis of PDM changes that have occurred since the publication of the previously published PDM Version.

### 1.1.05 Structure of the PDM

The PDM currently consists of seven (7) Parts and a multi-section Appendix. PDM Parts and their primary purpose are listed in the table below.

<b>Part 1</b>	<b>Introduction</b>	Consists of four (5) brief Chapters covering Purpose & Use, Recent Changes, Applicability, Quick Start Guide, and General Conditions.
<b>Part 2</b>	<b>Reserved</b>	---
<b>Part 3</b>	<b>Funding Application Requirements</b>	Consists of three (3) Chapters describing the Core-Development related documents that must be submitted at the time of Application for project funding.
<b>Part 4</b>	<b>Development Process Portal (DPP)</b>	Consists of four (4) Chapters covering the Department’s process for maintaining visibility into the project’s design and construction phases.
<b>Part 5</b>	<b>Baseline Project Requirements (BPR)s</b>	Consists of two (2) Chapters covering Codes, Laws, and Policies that apply to all projects receiving Department administered program funding.

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<b>Part 6</b>	<b>Development Standards Overlay (DSO)</b>	Consists of three (3) Chapters covering Department based Development Standards – Additional to the requirements given in Part 5.
<b>Part 7</b>	<b>Sustainable Development Standards (SDS)</b>	Consists of (1) Chapter Covering Department-Based Sustainability Requirements – Additional to requirements given in Part-5.
<b>Appendix A</b>	<b>General References</b>	Consists of (2) Appendix-A sub-sections that cover definitions for terms and acronyms used in this Manual and Department approved methods for determining building and dwelling unit floor areas.
<b>Appendix B</b>	<b>Rehabilitation Supplement</b>	Consists of (3) Appendix-B sub-sections that supplement the Department’s Rehabilitation DSO.
<b>Appendix C</b>	<b>Forms</b>	Contains the forms that serve to administer certain aspects of the PDM.
<b>Appendix D</b>	<b>Regulatory Compliance Guide</b>	A Reference for Department Administrators and External Regulatory Reviewers. Appendix-D maps how and where in the PDM certain externally driven requirements are implemented by the Department. There are no Project Development Team requirements listed in this section that are not already covered by the other operationally pertinent Parts of this Manual.

### 1.1.06\_ Applicability of the PDM

Refer to Chapter 1.3.

### 1.1.07\_ General Conditions

Refer to Chapter 1.5.

## **1.1 Introduction**

### **PDM Purpose & Use**

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## Applicability

### 1.3.01 Overview

All Housing Development Projects receiving new funding support from OHCS and all Capital Restoration/Improvement Projects<sup>1</sup> associated with properties that currently exist within the Department's Asset Management Portfolio must comply with the Standards and Processes described in this Manual. Varying degrees of PDM Applicability have been established based on the type of new funding a project may receive from the Department and on what Department Section<sup>2</sup> will administer the project. This Chapter defines the degree to which a given project must comply with the Standards and Processes contained within this Manual. The Department, at its sole discretion, may modify the degree of PDM Applicability defined in this Chapter, as it pertains to a specific project or property, to better suit the unique circumstances of that project.

### 1.3.02 Baseline Applicability

Except where modified by Section 1.3.03 or Table 1.3-1 of this Chapter, the Standards and Processes described in this Manual apply, in their entirety, to all housing new construction, remodel, restoration, and major repair projects connected with any Department administered funding program and/or when such projects, either with or without new Department funding, are administered by the Department's Asset Management Section.

### 1.3.03 PDM Applicability Levels

As of the Version date of this edition of the PDM, the Department has established three (3) PDM Applicability Levels that modify the Baseline Applicability as defined in Section 1.3.02 of this Chapter. The three Applicability levels are defined in **Table 1.3-1** located at the end of this Chapter. Levels of Applicability allow the Department to administer the PDM according to the varied needs of the Department's funding programs. PDM Applicability Levels are subject to change from one PDM Version to the next and can also be modified via Department published Technical Advisories. Project Owner's and their Development Teams must be sure they are using the appropriate PDM Applicability Levels based on the PDM Version that applies to their project (See Section 1.3.06 of this Chapter for determining the applicable PDM Version) and reviewing any subsequently published Technical Advisories that may also apply. PDM Versions and Department published Technical Advisories are available for review and download on the Department's website.

### 1.3.04 PDM Applicability Based on the Type of New Funding from OHCS

For projects that may receive new funding from a Department administered program, the PDM Applicability Level is determined by the program funding being sought and is given in **Table 1.3-2** located at the end of this Chapter.

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#### Footnotes:

- 1) Capital Restoration/Improvement Projects: Are generally defined as projects that extend the useful life of the asset, capital intensive restorations undertaken to return a damaged asset to its pre-damaged (or better) condition, and/or other additions or improvements to the property. More specifically, and for the purpose of this Manual, the Department, at its sole discretion, may regard any asset improvement/repair/alteration, regardless of its size or purpose, to be within the bounds of this definition.
- 2) Department Section: Typically, projects receiving new OHCS funding are administered by the Department's Multifamily Finance Section. Projects administered via the Department's Asset Management Section may or may not be receiving new funding from a Department administered program.

## 1.3 Introduction

### Applicability

#### 1.3.05\_PDM Applicability to Projects Initiated Via the Department's Asset Management Section

By default, all projects undertaken on properties within the Department's Asset management portfolio have an Applicability Level 2 (refer to Table 1.3-1). This default Applicability Level may be modified by the OHCS Asset Manager who will determine, on a case by case basis, if and how the PDM will be administered with projects that are managed by the Department's Asset Management Section. Due to the wide variety of project types that are administered through the Department's Asset Management Section, a customized application of the PDM (different from the pre-defined PDM Applicability Levels given in Table 1.3-1) may be developed to fit the specific needs of a given project.

**Important:**

**Modifications to Properties Already Within the Department's Asset Management Portfolio (AMP)**

Property Owner's and/or their property management entity must contact the Department's Asset Management Section well in advance of undertaking any planning or design of modifications to properties that exist within the Department's AMP so that the appropriate level of Department guidance can be determined and implemented.

#### 1.3.06\_PDM 'Versions' and Determining What Version Applies

The PDM Version that is applicable to a specific project is determined as follows:

- 1) PDM Version Applicability According to Notice Of Funding Availability (NOFA)  
PDM **Versions** are indicated on the cover of the Manual and on each page above the page number (e.g. V: XXXX.XX.XX). The PDM version that applies to a given project is determined by the specific NOFA under which the project has been awarded funding. Refer to the NOFA of interest where the corresponding applicable PDM version is identified for that NOFA. The PDM Version that applies at the time of funding award will apply to the funded project through to the completion of construction even if/when subsequent revised versions of the PDM are published during that period of time.
- 2) PDM Version Applicability for Projects Not Associated with a Notice Of Funding Availability (NOFA).  
Projects not associated with a specific NOFA must use the most recent PDM Version that has been published on the Department's website at the date that an Application for funding assistance is made to the Department or as may otherwise be approved in writing by the Department. The PDM Version that applies at the time of funding award will apply to the funded project through to the completion of construction even if/when subsequent revised versions of the PDM are published during that period of time.

#### 1.3.07\_ Universal Applicability of PDM Chapter 5.1 : Development Codes & Regulations

Many of the Baseline Project Requirements (BPR)s listed in Chapter 5.1 are promulgated and enforced by regulatory bodies outside of OHCS and are made Department requirements by extension only. Any communication by Department staff regarding the Applicability of elements of Chapter 5.1 to any given project regardless of the accuracy of such communication will not limit the Project Owner's and their Development Team's responsibility to fully understand the legal obligations of the project as required by regulatory entities outside the Department and to fully comply with those obligations.

Table 1.3-1 PDM Applicability Levels	
Applicability Level	PDM Chapter/Section Exceptions (Non-Applicable Chapters & Sections of the PDM) See Important Note 1 at the end of this Table
Level 1	<ul style="list-style-type: none"> <li>No Exceptions</li> </ul>
Level 2	<ul style="list-style-type: none"> <li>Sections 4.1.01 and Sections 4.1.02-1 through 4.1.02-3 (Located in Chapter 4)</li> </ul>
Level 3	<ul style="list-style-type: none"> <li>Not Used</li> </ul>

**Important Notes:**

1. Table 1.3-1 defines only those parts of the PDM that do not apply (are exceptions) within each Applicability Level. In other words, all Sections of the PDM that are not listed remain applicable.

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## Applicability

Table 1.3-2 Applicability Level Requirement Based on Funding Program	
Applicability Level	OHCS Funding Program
Level 1	<ul style="list-style-type: none"><li>• <u>HOME Investment Partnership Program</u></li><li>• <u>National Housing Trust Fund (HTF)</u></li></ul>
Level 2	<ul style="list-style-type: none"><li>• <u>All Department Funding Programs Except Those Listed in Level 1</u></li></ul>
Level 3	<ul style="list-style-type: none"><li>• <u>Not Used</u></li></ul>

**Important Notes:**

1. Refer to Table 1.3-1 for PDM Applicability Level definitions.
2. In cases where a project is receiving funding via multiple Programs, the Program with the higher PDM Applicability Level will determine how the PDM is administered with that project.

## General Conditions

### 1.5.01\_ Applicability of the PDM

Refer to Chapter 1.3.

### 1.5.02\_ Potential Conflicts Between the PDM and Other Department Issued Documents

Any discovered conflict in guidance or direction given by the PDM and that provided by other Department manuals or legal documents must be brought to the attention of Department staff. When conflicts are discovered, the Department Architect, Funding Program Manager, and/or Asset Manager will determine how the conflict will be resolved. By default, the more restrictive of the requirements or conditions in conflict or the one that the Department determines is most beneficial to the interests of the Department will have precedence.

### 1.5.03\_ Variance Requests

Where the Project Owner's Team feels that the project is improved by deviating from a PDM condition or standard, or where a standard/condition has been identified to be in irreconcilable conflict with another standard/condition, or when a condition or standard cannot be met, the Project Owner's Team may submit a Variance Request using form **A-VR** provided in Appendix C of this Manual. The Variance Request requires a justification and, if applicable, a description of how the proposed alternate approach is equal to, or constitutes an improvement to the condition or standard being appealed.

Other important aspects of Variance Requests:

1) Timing of Variance Request (VR) Submittals to the Department

The following timing considerations are integral to VR review and approval:

a) **Earliest Point In Time to Submit Variance requests:**

Except as given in item b) below, Variance Requests should **not** be submitted to the Department until after a funding Reservation and Conditions Letter (RCL) has been issued by OHCS. Once an RCL has been received by the Project Owner, Variance Requests should be submitted as early as possible so that adequate time is available for Department review, and, if applicable, for adjusting the project design based on the Department's decision.

b) **Variance Requests Required at the time of Application for Funding Assistance:**

When deemed by the Owner's Development team to be necessary, Variance Requests pertaining to Visitability and Dwelling Unit Size must be submitted with the Application for Funding assistance to the Department. See PDM Part 3 for Funding Application Requirements.

c) **Last Opportunity to Submit Variance Requests:**

Except as given in item b) above, Variance Requests can be submitted any time prior to, or in conjunction with submission of DPP Submittal-3 (See Chapter 4.1, Section 4.1.02-3 for description of DPP Submittal-3). Variance Requests submitted after DPP Submittal-3 will be reviewed at the discretion of the Department and may be declined without review.

2) Variance Request Submission Protocol

Except as given in item 1), b) of this Section, Variance Requests should be sent via email to the OHCS Architect and the OHCS Loan Officer assigned to their project. VR's must be submitted using Form A-VR located in Appendix C of this manual.

## 1.5 Introduction

### General Conditions

3) Department's Response to Variance Requests

The Department will promptly review and respond to Variance Requests received within the timeframes established in item 1, a) and c) of this Section. Variance Requests will be evaluated based on the Department's assessment of the overall impact and merits of the proposal being made. The Department, at its sole discretion, may approve or conditionally approve Variance Requests it deems to be reasonable. The Department will reject or will decline review of Variance Requests it deems unsatisfactory, unreasonable or that pertain to Development Standards over which it does not have sole authority.

#### 1.5.04 [Reserved]

#### 1.5.05 Quality Controls & Compliance

The Department will exercise project process and design quality related compliance controls as follows:

1) Department Maintains the Right to Request Additional Document Submittals

The Department may request documents that are not identified in this Manual depending on the particular circumstances of a given project and/or as the Department deems necessary or prudent to fulfill its fiduciary responsibility to project stakeholders.

2) Department Maintains the Right to Require Adherence to Department's Development Standards and to Delay Finance Closing and/or Withhold Funding

The Department maintains the right to enforce adherence to its Development Standards and processes by placing a "hold" on finance closing and/or on Department controlled funding to the project if the Standards and Processes outlined in the PDM are not conscientiously engaged by the Owner's Team. Maintaining close attention to the timing requirements, design requirements, and the document submittal requirements outlined in the PDM is important to avoiding project delays and/or impacts to project funding.

#### 1.5.06 PDM Authority Does Not Reduce or Change Requirements Imposed by Any Other Entity

Under no circumstance shall any part of the Project Development Manual (PDM) including the requirements, conditions, and policies established herein be construed to abrogate or diminish the responsibility of the Project Owner and their Development Team to fully comply with all applicable laws and regulations, to satisfy all Department requirements, and to abide all requirements and conditions of all project stakeholders.

## Overview & Instructions

### 3.0.01 Overview of Part 3 of the PDM

Part 3 of the PDM is comprised of Chapters 3.0 through 3.2 and defines the Core-Development Documents (CDDs)<sup>1</sup> that are required as part of an Application for funding assistance made to the Department. The Department refers Applicants via a NOFA or other formal Department communication to Part 3 of the PDM for guidance on what CDDs are required at the time of Application and any CDD content and format requirements that apply.

**Important:**

The requirements of Part 3 of the PDM are applicable to Program funding Applicants **only when** a Department Program notice, such as a NOFA, or other formal funding related communication has specifically directed them to the PDM for CDD related submittal requirements that must be included with their Application.

### 3.0.02 The CDD Checklist

Chapter 3.1, which follows this Chapter, lists the CDD's that are required as part of the Funding Application process. Chapter 3.1 has been developed in a checklist format hence it is referred to as the CDD Checklist. When Applicants have been referred to part 3 of the PDM for CDD Application requirements, the Applicant must comply with all requirements given in the CDD Checklist for the funding Application to be considered complete. Instructions for completing the CDD checklist are given in Section 3.0.03 of this Section.

**Important:**

Chapters 3.1 and 3.2 that follow this Chapter contain funding Application Submittal Requirements that constitute only a portion of the overall Application requirements. The applicable NOFA or other Department issued funding related communication will have other critical application requirements listed therein. Applicants must address all application requirements including those that are specified in Department Application materials that exist outside the CDDs listed in Part 3 of the PDM.

**Important:**

Scattered-Site projects must submit a separate CDD checklist for each site.

### 3.0.03 Instructions for Completing the CDD Checklist

The CDD Checklist is located in Chapter 3.1 of this Manual. Instructions for completing and submitting the CDD Checklist are as follows:

1. Enter the Project Name and Date where requested at the top of the Checklist.
2. Assemble the required CDDs as listed in the Checklist. Use the Checklist to ensure that you are providing all of the necessary CDDs with your Application. Refer to item 9 in these instructions for CDD content and format requirements for each CDD listed.
3. All projects must submit the CDDs listed under (G) General Requirements.

**Footnotes**

1. See Appendix A.1 for the definition of Core-Development Document (CDD).

## 3.0 Funding Application Requirements

### Overview & Instructions

4. In addition to documents required under item 4 of these instructions, projects must also submit all CDDs required under either (N) New Construction or (R) Rehabilitation as appropriate for the project type. Projects containing both New-Construction and Rehabilitation must submit CDDs required under all three parts of the CDD Checklist; Parts G, N, and R.
5. In addition to documents required under item 4 of these instructions, projects must also submit all CDDs required under either (N) New Construction or (R) Rehabilitation as appropriate for the project type. Projects containing both New-Construction and Rehabilitation must submit CDDs required under all three parts of the CDD Checklist; Parts G, N, and R.
6. To complete this form, place a checkmark in the “√” box associated with each item listed that is applicable to the type of project proposed (affirms that the required CDD has been included in the Application).
7. Include this completed CDD Checklist itself with the other required CDDs listed in Checklist to create a neatly organized CDD packet. Use the completed CDD Checklist as the CDD packet coversheet. Incorporate the other CDDs listed in this Checklist into the packet in the same order as they are listed in the CDD Checklist. Do not bind the CDD packet documents together.
8. Incorporate the completed CDD packet into the Application submittal package as instructed by the NOFA or other Department funding Application instruction document.

#### 3.0.04 \_\_ CDD Format and Content Requirements

Chapter 3.2 contains specific content and format requirements for the CDDs listed in the CDD Checklist. Applicants must comply with all format and content requirements given in Chapter 3.2 for the Funding Application to be considered complete.

Project Development Manual (PDM)

# Funding Application Requirements **3.1**

## Funding Application CDD Checklist

### Funding Application CDD Checklist

Core-Development Documents (CDD)s Required with Funding Application

<b>Project Name</b>	<b>Date</b>
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**Important:**  
Before completing this Checklist, review Chapter 3.0 which provides critical instructions for correctly completing and submitting this form.

All CDDs listed in this form must follow the specific format and content requirements identified in the following Sections of Chapter 3.2:

Item	√	(G) : General Requirements	Content & Format Requirements
G01	<input type="checkbox"/>	Completed Copy of this CDD Checklist	----
G02	<input type="checkbox"/>	SDS Certification Part 1 (Form A-GC1) Must include any additional documents required by Form A-GC1	3.2.02-G02

Item	√	(N) : New Construction Requirements	Content & Format Requirements
N00	<input type="checkbox"/>	<b><u>New Construction Not Applicable</u></b> Check this box only if New Construction <b>is not</b> part of the subject project and leave boxes N01 through N05 unchecked.	---
N01	<input type="checkbox"/>	Conceptual Site Plan	3.2.02-N01
N02	<input type="checkbox"/>	Other Project Drawings (Optional)	3.2.02-N02
N03	<input type="checkbox"/>	Construction Cost Estimate	3.2.02-N03
N04	<input type="checkbox"/>	Unit Size Variance Requests	3.2.02-N04
N05	<input type="checkbox"/>	Visitability Variance Requests	3.2.02-N05

Item	√	(R) : Rehabilitation Requirements	Content & Format Requirements
R00	<input type="checkbox"/>	<b><u>Rehabilitation Not Applicable</u></b> Check this box only if Rehabilitation <b>is not</b> part of the subject project and leave boxes R01 through R02 unchecked.	---
R01	<input type="checkbox"/>	Capital Needs Assessment	3.2.02-R01
R02	<input type="checkbox"/>	Rehabilitation Proposed Scope of Work and Construction Cost Estimate	3.2.02-R02

End CDD Checklist

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## 3.1 Funding Application Requirements

### CDD Checklist

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# Funding Application Requirements 3.2

## CDD Format & Content Requirements

## CDD Format & Content Requirements

### 3.2.01 Overview

This Chapter provides guidance on format and content requirements for Core-Development Documents (CDD)s<sup>1</sup> when specific format and content expectations for documents are given in Chapter 3.1 of this Manual. Refer to PDM Chapters 3.0 and 3.1 for information on how to use the information provided in this Chapter.

### 3.2.02 CDD Format and Content Requirements

#### General Requirements:

##### 3.2.02-G02\_ SDS Certification Part 1

Complete Form A-GC1 located at the end of Chapter 7.1 of this Manual and attach any additional documents that may be required by Form A-GC1. See Chapter 7.1, Section 7.1.02 for more information on SDS Certification.

#### New Construction Requirements:

##### 3.2.02-N01\_ Conceptual Site Plan and Building Ground Floor Plan

The following criteria must be met:

1. Format: 11x17 folded to fit in 8-1/2x11 book format.
2. Show/Identify the following elements:
  - a) Drawing must be scale and the drawing scale must be identified (There are no specific scale requirements other than the drawing should be legible).
  - b) North Arrow.
  - c) Property Lines
  - d) Land-Use (Zoning) Designation(s) including any applicable special overlay zones.
  - e) Special Environmental Conditions such as Wetland Areas.
  - f) Include Identification of all known Easements, Encroachments and Adjacent Land Uses.
  - g) Include Site Contours or, at a minimum, Spot Elevations at the corners of the property and each side of all proposed and existing buildings and showing preliminary grading including drainage away from buildings.
  - h) Site Features such as existing structures to be removed, trees or hedges to be retained and general areas of new plant materials.
  - i) All Buildings with Ground Floor Unit Front Entries indicated.
  - j) All Paved Surfaces and Site Lighting, (if determined).
  - k) Any Fencing at Perimeter of Site and between Units and Buildings.
  - l) Mechanical and Electrical Equipment such as Transformers (if determined).
  - m) Refuse Holding Areas.

#### Footnotes:

- 1) See Appendix A.1 for the definition of Core-Development Document (CDD).

## 3.2 Funding Application Requirements

### CDD Format & Content Requirements

#### 3.2.02-N02\_Other Project Drawings that Describe Project Character

(This section of the CDD Application packet is optional. Inclusion of Other project Drawings or the absence of such drawings in this Section will not affect Application Completeness and will not affect Application Scoring).

1. Limit this section of the CDD packet to no more than (3) 11x17 sized sheets or (6) 8-1/2x11 sized sheets with content on one side of the sheets only. Content may consist of any graphic information that describes the project i.e. building sections, elevations, renderings, etc.
2. Other Project Drawings submitted under this Section may be added to and combined with the Conceptual Site Plan required under Section 3.2.02-N01 and the combined drawing packet may be organized in any manner deemed appropriate by the Applicant. 11x17 sized sheets should be folded to fit in an 8-12x11 book format.

#### 3.2.02-N03\_Construction Cost Estimate

The following criteria must be met:

1. The Construction Cost Estimate submitted at the time of Application may be produced by any individual deemed by the Project Owner to have the expertise and experience necessary to provide cost estimating services sufficient to develop an accurate budget setting figure for the construction of the project. They must also meet the Estimator Qualifications required by item 2 below.
2. Refer to Appendix P.1 of this Manual for Construction Cost Estimate requirements. For the Construction Cost Estimate required at Application the following items from Appendix P.1 are **not applicable**:
  - a) Appendix P.1, item 1, c) ; Identity of Interest
  - b) Appendix P.1, Item 2, d) ; Professional Profile

#### Important:

##### 3<sup>rd</sup>-Party Construction Cost Estimate

Though not a requirement at the time of Application, Applicants who receive a conditional award of funding from the Department will be required to provide a 3<sup>rd</sup>-Party Construction Cost Estimate meeting all of the requirements defined in Appendix P.1 of this Manual. The Reservation and Conditions Letter issued by the Department to Applicants that have been awarded funding will provide submission timing details for the 3<sup>rd</sup> Party Cost Estimate. 3<sup>rd</sup> Party-Cost Estimates will likely be due just prior to the close of the underwriting period. The 3<sup>rd</sup> party Cost Estimate requirement applies only to New Construction projects.

#### 3.2.02-N04\_Unit Size Variance Requests

Use form A-VR located in Appendix C of the PDM.

#### 3.2.02-N05\_Visitability Variance Requests

Use form A-VR located in Appendix C of the PDM.

## Funding Application Requirements 3.2

### CDD Format & Content Requirements

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#### Rehabilitation Requirements:

##### 3.2.02-R01\_Capital Needs Assessment

Capital Needs Assessment (CNA) format and content requirements are located in [Appendix B.1](#) of this Manual.

##### 3.2.02-R02\_Rehabilitation Proposed Scope of Work (SOW) and Construction Cost Estimate

The following criteria must be met:

1. The SOW and Cost Estimate must be combined into a single document and must follow standard industry practices for level of completeness, detail, and content.
2. A method of presenting costs in 'elemental' or functional categories such as that characteristic of the CSI Uniformat II (not to be confused with "Masterformat") method is required. This places descriptive emphasis on the functional or physical scope attributes of the project and less on the physical materials used.
3. The SOW and Cost Estimate must describe and provide costs for all significant systems and assemblies that make up the full proposed scope of the project. The SOW and Cost estimate is separate from (a different document from) the 'Opinion of Costs' provided in the CNA.
4. The SOW and Cost Estimate must separate the proposed scope into at least two clearly distinguishable categories as follows:
  - a) SOW items that are identified in the CNA as falling within the Immediate and/or 2-year needs category and,
  - b) SOW items that are not identified as immediate or two year needs in the CNA but the Project Owner has identified as being a necessary or prudent part of the rehabilitation scope.
5. The Cost Estimate part of the SOW must be developed by a licensed construction contractor and/or architect/engineer that is unaffiliated with the individuals and/or the organization that has, or will be providing CNA services on the same project.
6. Individuals preparing the Cost Estimate must have extensive prior cost estimating experience with projects that are similar in type and size to the subject project.

## **3.2 Funding Application Requirements**

### **CDD Format & Content Requirements**

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## Overview

### 4.0.01 Chapter Overview

The Department's Development Process Portal (DPP) outlines the document submittal requirements and other communication protocols that define how the Department maintains a "window" or "portal" connection to the project, and how it supports the Development Team's progress in moving the project toward and through Project Completion in accordance with Department and Funding Program requirements.

The Department's DPP closely overlaps standard project management practices for building and infrastructure related development. As such, the Department's DPP is expected to have little, if any, impact on well-organized development teams to efficiently execute their projects while simultaneously fulfilling the requirements of the Department's DPP.

#### **Important:**

The DPP covers only the document submittal and communications protocols connected with the project's Core-Development tasks i.e. those tasks associated with project design, construction phase administration, and project completion. It does not address the financial/subsidy structuring or other general program funding document submittal and communications protocol requirements. For the latter, refer to the project's Reservation & Conditions Letter and consult with the Department Loan Officer assigned to the project.

### 4.0.02 Definitions

The definitions provided below are critical to using this chapter as well as other Chapters of the PDM. These definitions are provided again in Appendix-A1 (Definitions) of this Manual.

#### DPP : Development Process Portal

The Department's process for engagement with the Owner's Development Team in achieving mutually beneficial outcomes in the production of quality affordable housing. See Part 4 of this Manual for information on the DPP.

#### CDD : Core-Development Document

CDD refers to any Planning, Design or Construction related document, usually associated with the document Submittals required in Part 3 and Part 4 of the PDM. Example documents include, but are not limited to: Construction Drawings, Technical Specifications, Schedules, Cost Estimates, Contracts, Reports, Photos, Certificates, Etc. A more detailed definition of CDD is given in Appendix A of this Manual.

#### PDM : Project Development Manual (This Manual)

A Department published guide containing Department requirements and expectations for housing development activities funded by Department administered programs.

#### RCL : Reservation and Conditions Letter

A project-specific, comprehensive list of Department and program based conditions for successfully maintaining funding eligibility for the full duration of the project.

# 4.0 DPP Development Process Portal

## Overview

### 4.0.03 Structure and Focus of Part 4; The Development Process Portal

Part 4 is comprised of a total of four chapters which include this Overview plus a chapter dedicated to each of the three core project development phases listed below. Each chapter outlines the submittals that are required for its associated project phase. The three chapters that immediately follow this Overview are as follows:

- Chapter 4.1 : Design Phase
- Chapter 4.2 : Construction Phase
- Chapter 4.3 : Completion Phase

### 4.0.04 Level of Applicability of the Department’s DPP

Funding programs may require different levels of applicability of the DPP. Refer to the project’s Reservation & Conditions Letter and Chapter 1.3 of this Manual for funding program and project specific applicability.

### 4.0.05 Department’s Construction Phase Site Visits

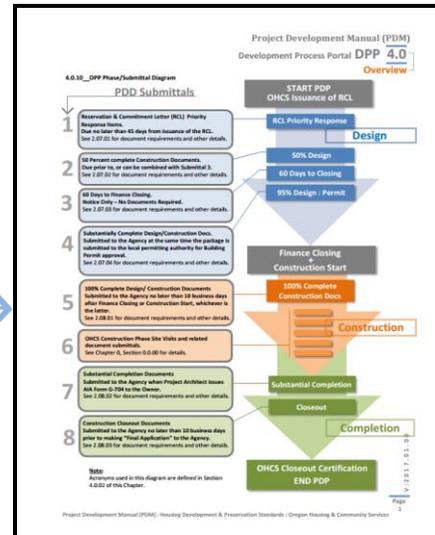
In addition to the project administration tasks and document submittal requirements defined in this part of the PDM (Part 4), the Department may conduct one or more construction phase site visits. The Department maintains an important level of understanding of the project’s construction management and general construction progress when performing these visits. The Department’s construction site visit involvement is defined in Chapter 4.2, Section 4.2.04 of this Manual.

### 4.0.06 DPP Phase/Submittal Diagram

A full page quick reference diagram of the Department’s DPP is given in Section 4.0.11 at the end of this Chapter.

### 4.0.07 Submittal Instructions

Unless specifically instructed otherwise, all documents submitted to the Department as required by this Manual must be submitted using the following protocols:



1) Electronic Transmittals of Submittal Documents

Documents transmitted electronically are to be uploaded to the Department’s project specific web-based document hub. A link for accessing the Department’s document hub will be sent to the appropriate members of the Owner’s Development Team early in the project. If a project folder link is not received by the Owner one should be requested by emailing the OHCS Architect at the email address given in section 4.0.10 of this chapter. If needed, other options for document access or transmittal can be arranged.

2) Notification to Department that a Submittal has been Uploaded to Department’s Web-Based Document Hub

When documents have been uploaded to the Department’s web based document hub, the OHCS Architect will need to be notified via email that the required Submittal is complete. The date of the email notification to the OHCS Architect establishes the official time of submission of the Submittal irrespective of the dates that the documents were uploaded to the hub.

3) Hard-Copy Document Transmittals

In addition to the electronic document submittal requirements per item 1) of this Section, ‘hard-copy’ versions of some CDD’s are required. Where hard-copy documents are required, the specific documents, the quantities needed, and any other specifics are given within each of the submittal descriptions

defined in Chapters 4.1 through 4.3. Also see Architectural/Engineering Drawing Set requirements in item 4 of this Chapter.

Hard-copy document transmittals to the Department, when required, should be sent to the following address:

Oregon Housing and Community Services  
725 Summer St. NE, Suite B  
Salem OR. 97301-1266  
Attn:  
OHCS Architect  
Multifamily Housing Finance Section

4) Architectural/Engineering Drawing Set Requirements

a) **Drawing Sets Transmitted in Electronic File Format:**

- i. File must be in Portable Document Format (PDF).
- ii. Sets must be complete, including all sub-consultant disciplines to the Architect.
- iii. Electronic submittals of drawings must include a version where each discipline (i.e. Architectural, Structural, MEP, etc.) have all drawing sheets for that discipline combined into a single PDF file (as opposed to a separate file for each drawing sheet). A single file containing all drawing sheets for all disciplines is also acceptable.

b) **Drawing Sets Transmitted in Hard-Copy Format:**

- i. Sets must be half-size.
- ii. Sets must be complete, including all sub-consultant disciplines to the Architect.
- iii. Sets must be legible: Care should be taken in planning the drawing set conventions such that when the drawings are printed at ½-size the text and other important document information remain legible.
- iv. Sets must retain a conventional scale at the reduced size i.e. ¼ inch = 1 foot at full size has a physical scale of 1/8 inch = 1 foot when printed at half size.
- v. Sets must be neatly bound.

**4.0.08 Department Review of Submitted CDD's**

The Department reviews CDD submittals using the following review protocol:

1) Scope of Department Review:

a) **General:**

Documents are reviewed by Department staff for general level of completeness, conformance to Department format and content requirements, and relative conformance with standard industry practices.

b) **Project Scope and Cost Related CDD's:**

In addition to review per item a) above, documents that describe the proposed Scope and Construction Cost of the project are reviewed for their reasonableness" and "appropriateness" based on past and current similar projects and on industry accepted cost data sources.

## 4.0 DPP Development Process Portal

### Overview

c) **Drawings & Specifications:**

In addition to review per item a) above, Construction Drawings and Specifications are reviewed for conformance with the BPR's defined in Chapter 5.1 of the PDM and the appropriate Department DSO as defined in Part 6 of the PDM.

2) Primary Focus of Department Review

Though CDD's are reviewed for a broad variety of content and format related requirements, the Department's review is focused on the following priorities:

a) **Project Scope and Cost**

b) **Accessibility**

c) **Building Envelope: Technical Design**

3) Department's Submittal Response Protocol

The Department will promptly acknowledge receipt of CDD submittals that are combined with, or are followed-up with an email to the OHCS Architect indicating that a submittal has been made. Unless significant issues are observed by the reviewer during the review process or the Development Team has questions or issues it wants to discuss with the Department regarding the submittal, there will be no further communication from the Department regarding the submittal and the Department assumes that the project will continue to move forward in accordance with the project schedule.

4) Department Does Not "Approve" Submitted CDDs

Unlike City/County building and development code review bodies, the Department does not issue "Permits" or "Approvals" of submitted CDDs as part of its review protocol. The Department will, however, take exception to, and will notify the Development Team when it observes significant deviations from Department development related expectations as defined by the Department's PDM. When such issues or Department concerns are brought to the attention of the Development Team, the Development Team must work expediently with the Department to satisfactorily resolve the issue to avoid jeopardizing Department administered program funding in the project.

5) Document Errors and Omissions

The Department does not assume any responsibility for errors and omissions that may go undetected in Development Team prepared documents it reviews. All such errors remain entirely the responsibility of the Development Team. The Development Team is required to preemptively engage with the Department on any project requirements defined in the PDM that may be unclear or may be deemed unsuited for a given project and to obtain from the Department a written record of how the item has been clarified or how the issue has been resolved.

#### **4.0.09\_\_Quality Controls & Compliance**

Refer to Chapter 1.5, Section 1.5.05.

#### **4.0.10\_\_OHCS Architect Contact Information**

**Kevin Burgee**

**kevin.burgee@oregon.gov**

**503-986-6773**

## Design Phase

### 4.1.01 Chapter Overview

Chapter 4.1 covers the Design Phase requirements of the Department's DPP. Four DPP submittals (1 through 4) are required during the project's Design Phase as defined in 4.1.02-1 through 4.1.02-4 of this Chapter. As illustrated in the DPP Diagram (Chapter 4.0, Section 4.0.11) the Design Phase of the Department's DPP begins at the point when a Reservation and Conditions Letter (RCL) is issued to the Project Owner and it transitions to the Construction Phase of the DPP when construction commences.

### 4.1.02-1 Submittal-1: Priority Response

The CDD's listed below are considered critical for determining the viability and scope of a project and are therefore referred to as "Priority Response" items or documents. These documents are reviewed by the Department early in the Design Phase of the DPP.

1) Required Documents

Submit documents listed below:

\_\_\_ a) **Schematic Design Drawings**

Schematic Drawings are typically at a level of approximately 20%-25% complete. Drawings should include general site plan information, schematic floor plan layouts, unit types and layouts, exterior building elevations, basic building code and zoning code information.

Note:

Depending on the level of Site Plan development that existed at the time of Application for funding assistance, the same Site Plan without additional development will likely satisfy the Site Plan requirement for this submittal.

\_\_\_ b) **Fully Executed Owner/Architect Contract**

**Important:**

- 1) Prior to signing any contract related to their project, the Project Owner must contact the OHCS Loan Officer assigned their project to confirm appropriate timing of executing (signing) the contract. Some funding programs such as HOME have strict timing requirements related to contracts that if not carefully followed can jeopardize funding eligibility.
- 2) Special Note for Projects with HOME Funding: The Contract must refer to the HOME Contract Provisions as being made a part of the Contract and they must be incorporated into the Contract as an exhibit. The HOME Contract Provisions can be obtained from the OHCS Loan Officer assigned to the project. Submittal of the Owner/Architect Contract may be delayed with approval of such request being made on a case-by-case basis by the Department.

## 4.1 DPP Development Process Portal

### Design Phase

\_\_\_c) **Current/Updated Project Schedule**

The Current Project Schedule is not the same as the “Proposed Project Timetable” that was requested by OHCS in the NOFA. The Current Project Schedule should, at a minimum, show the full project timeline from the time of Application for funding through to Construction Completion and should be submitted in Gant Chart format. In addition to identifying the critical phases and milestones that the Owner’s Team has identified for the project, the Project Schedule must clearly identify the following:

- i) **Projected placement within the project schedule of DPP Submittals 1 through 7.**
- ii) **Projected placement within the project schedule of a Stormwater Management Plan (SMP) Submittal to OHCS (When new Stormwater Mitigation is part of the project Scope of Work).**

Note regarding the SMP:

Because Stormwater Management Plans can vary in scope and complexity based on site and other project related dynamics, the SMP has not been specifically identified as a required part of either DPP Submittal 1 or 2. An SMP should, however, be included as part of Submittals 1 and 2 if its development has been started by those proposed submittal dates. At a minimum, the Owner’s schedule must show a 90% complete (minimum) SMP being submitted to OHCS no later than 120 days prior to Finance Closing or Construction Start. The completed SMP must be incorporated into the Construction Drawing Set and must therefore be included by default as part of Submittals 4, 5, and 7.

Detailed sub-phasing of the construction period is not necessary as part of the Current Project Schedule submitted with Submittal-1, however, more detailed Construction Phase scheduling will be required as part of Submittal-4.

\_\_\_d) **Current/Updated Project Scope & Cost Report**

There are no specific formatting requirements for this item at this time. The intent of this item is to provide the Department with a document that summarizes where any scope and cost changes have occurred.

\_\_\_e) **Other Documents (as may be specifically requested by the Department).**

2) Submittal Timing

**Required documents must be submitted to the department within 45 days of the date of issuance of the RCL. Contact the Loan Officer assigned to the project if more time is needed to submit one or more of the required documents.**

3) Transmittal Instructions

All documents listed for this Submittal must be submitted per the instructions given in Chapter 4.0, Section 4.0.07. Additionally, special hard-copy document submission requirements may apply to this submittal per item 4 of this Section.

4) Hard Copy Document Submission Requirements

None for this Submittal.

5) Department Response to Submittal-1

The Department will promptly acknowledge receipt of the submittal. Information provided in the documents submitted may have a bearing on the scope of the project and may require additional assessment and

documentation requirements. Department staff will work closely with the Owner and their team to determine if and how the information provided in Submittal-1 may influence the project.

#### 4.1.02-2\_Submittal-2: 50% Complete Review

This is a Department Progress Review related submittal.

##### 1) Required Documents

###### \_\_\_ a) **50% Complete Design Drawings & Specifications**

At a minimum, drawings should show the information that was shown in the drawings at the time of Submittal-1 with the following additional information: Building geometries fully developed, exterior finish materials identified, basic apartment unit plans provided with basic hypothetical furnishings shown, unit and common area square foot sizes indicated. All major site features with vehicle and pedestrian circulation paths should be shown. An outline specification should also be provided.

##### 2) Submittal Timing

**May be submitted any time prior to, or in conjunction with, but no later than the Notice of 60 Days to Finance Closing (See Submittal-3).**

##### 3) Transmittal Instructions

All documents listed for this Submittal must be submitted per the instructions given in Chapter 4.0, Section 4.0.07. Additionally, special hard-copy document submission requirements may apply to this submittal per item 4 of this Section.

##### 4) Hard Copy Document Submission Requirements

None for this Submittal.

##### 5) Department Response to Submittal-2

The Department will promptly acknowledge receipt of the submittal. The Department may issue questions or comments to the Owner's Project Team regarding the information provided. The Owner is expected to work diligently with the Department to resolve any issues or concerns that may be expressed by the Department as a result of the Submittal-2 review.

#### 4.1.02-3\_Submittal-3: Notice of 60 Days to Finance Closing (and/or Construction Start)

A minimal but important submittal consisting only of a brief message issued via email from the Project Owner or the Owner's Representative to the OHCS Loan Officer and the OHCS Architect indicating that Finance Closing is projected to be approximately 60 days out (but no fewer than 60 days<sup>1</sup>) from the date the notice is received by the Department. This notice serves to give the Department time to schedule for and prepare adequate resources to complete review of Submittal-4. Once this submittal is made to the Department it can be amended to add additional time but it cannot be amended to shorten the timeframe.

##### 1) Required Documents

###### \_\_\_ a) **Email Notification**

## 4.1 DPP Development Process Portal

### Design Phase

**\_\_\_ b) Any Final Development Standards Variance Requests (If Applicable)**

**Important Note:**

This is the last opportunity to submit Development Standards Variance Requests (See Chapter 6.0, Section 6.0.13 for more information on the timing of Variance Requests).

**4.1.02-3 Footnotes:**

1. Once the 60 Notice is issued by the Owner, it is critical that the owner keep the OHCS Loan Officer apprised of anticipated changes in the projected Finance Closing date. Once the 60 Day Notice is received by the Department, preparations for the Submittal-4 review will commence. If Finance Closing occurs too long after the Department has completed the Submittal-4 documents review, a re-review may be necessary which could delay Finance Closing and/or Construction Start and additional Department review fees may be assessed.
- 2) Submittal Timing  
60 Days prior to Finance Closing or Construction Start, whichever is the latter.
- 3) Transmittal Instructions  
The 60 day notice can be a brief email sent to the OHCS Loan Officer and the OHCS Architect. If the Department has specifically requested other documents as part of this Submittal they must be submitted per the instructions given in Chapter 4.0, Section 4.0.07.
- 4) Hard Copy Document Submission Requirements  
(Not Applicable unless specifically requested by the Department)
- 5) Department Response to Submittal-3  
The Department will promptly acknowledge receipt of the submittal.

#### 4.1.02-4 Submittal-4: Substantially Complete (95%+) Construction Document Review

Substantially Complete Design – Permit Ready Documents.

1) Required Documents

**\_\_\_ a) 95+% Complete Drawings**

Fully developed documents of sufficient detail and completeness to receive a Building Permit. Drawings should be complete with all drawing sheets present and should include exterior envelope, material interface, and envelop penetration details.

**\_\_\_ b) 95+% Complete Project Manual**

**\_\_\_ c) Completed Development Standards Overlay (DSO) Checklist**

See Part 6 of this Manual.

**d) Current Draft of the Construction Contract (Should be fully prepared with the exception of signatures)**

**Important:**

- 1) Prior to signing any contract related to their project, the Project Owner must contact the OHCS Loan Officer assigned their project to confirm appropriate timing of executing (signing) the contract. Some funding programs such as HOME have strict timing requirements related to contracts that if not carefully followed can jeopardize funding eligibility.
- 2) Special Note for Projects with HOME Funding: The Contract must refer to the HOME Contract Provisions as being made a part of the Contract and they must be incorporated into the Contract as an exhibit. The HOME Contract Provisions can be obtained from the OHCS Loan Officer assigned to the project. Submittal of the Owner/Architect Contract may be delayed with approval of such request being made on a case-by-case basis by the Department.

**e) Current/Updated Project Schedule**

Showing Major Construction Tasks and Sequencing.

**f) Current/Updated Project Scope & Cost Report**

There are no specific formatting requirements for this item at this time. The intent of this item is to provide the Department with a document that summarizes where any scope and cost changes have occurred since the most recent previous update was submitted.

**g) Complete list of any Contractor Designed and/or any Deferred Permit Submittal related components of the project design (as applicable).**

**h) SDS Certification Part-2.**

See Chapter 7.1, Section 7.1.02 for more information on SDS Certification.

2) Submittal Timing

**Submit all of the required documents to OHCS at the same time an identical set of the drawings and specifications are submitted to the building permit issuing authority having jurisdiction (Application for Building Permit) but no later than 30 days prior to Finance Closing.**

3) Transmittal Instructions

All documents listed for this Submittal must be submitted per the instructions given in Chapter 4.0, Section 4.0.07. Additionally, special hard-copy document submission requirements may apply to this submittal per item 4 of this Section.

4) Hard Copy Document Submission Requirements

None for this Submittal.

5) Department Response to Submittal-4

The Department will promptly acknowledge receipt of the submittal. The Department may issue questions or comments to the Owner's Project Team regarding the information provided. The Owner is expected to work diligently with the Department to resolve any issues or concerns that may be expressed by the Department as a result of the Submittal-4 review.

**4.1 DPP** Development Process Portal  
Design Phase

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## Development Codes and Regulations

### 5.1.01 Chapter Overview

Chapter 5.1 covers broadly applicable project development codes and regulations that are mandated by federal, State, and local laws and that apply to all housing development and rehabilitation projects undertaken in the State of Oregon irrespective of their association with OHCS or any other project stakeholder. OHCS requires all applicable BPRs to be fully complied with on projects receiving any form of funding assistance from the Department.

#### Exceptions:

- 1) **OHCS Visitability:** Section 5.1.03-2 of this Chapter applies only to projects receiving funding from an OHCS administered program. See 5.1.03-2, a) for an applicability summary.
- 2) **Accessibility (Federally Funded Projects):** Section 5.1.03-3, b), 1 and 2 of this Chapter apply only to projects subsidized with federal funding.
- 3) **Natural Hazards Mitigation (Federally Funded Projects):** Section 5.1.03-5 of this Chapter applies only to projects subsidized with federal funding.

Development Code and Regulation BPRs are generally categorized as follows and are further defined in Sections 5.1.03-1 through 5.1.03-6 and 5.1.04 of this Chapter:

- State and Local Jurisdiction Development Codes & Regulations
- OHCS Visitability (Applicable to OHCS Funded Projects Only)
- Federal Regulations Pertaining to Accessibility
- Natural Hazards Mitigation
- Construction Permits

### 5.1.02 [Reserved]

#### 5.1.03-1 State and Local Jurisdiction Development Codes & Regulations

The Owner's Project Development Team is responsible for understanding how the codes and regulations listed in this section apply to their project and for ensuring that the requirements set forth therein are fully complied with.

- a) State of Oregon Construction Codes  
As adopted and administered by the Department of Oregon Consumer & Business Services, Building Codes Division (BCD) and as applicable to each project.
- b) Local Jurisdiction Building/Development Codes, Planning/Zoning Codes, and Other Local Development Related Ordinances and Regulations  
Based on the project site's location and the regulatory bodies having jurisdiction thereover and as applicable to each project.

#### 5.1.03-2 OHCS Visitability

As required and defined by Oregon Revised Statutes ORS 456.506 through ORS 456.514 and Oregon Administrative Rules, Chapter 813, Division 310. Applies only to newly developed rental housing subsidized with funding via one or more programs administered by the Department (OHCS).

## 5.1 BPR(s) Baseline Project Requirements

### Development Codes & Regulations

**Important**

**Project Stakeholders, local development code jurisdictions, and/or project funders other than OHCS may have Visitability requirements separate from those identified in this Section.**

- a) The following excerpt from OAR chapter 813, division 310 is included below as a quick reference only. The reader is encouraged to read all ORS and OAR references cited in 4.02, c) above pertaining to Visitability.

**Applicability : Excerpt from OAR 813-310-0010**

These rules [Visitability] apply to the new construction of one or more rental housing units receiving development subsidies from the Department (OHCS) as described in ORS 456.508(7). Covered housing units include Department subsidized townhouses as well as other forms of rental housing. These rules also apply to group homes. These rules do not apply to homeownership housing, to farmworker housing located on a farm or to the acquisition, alteration, renovation or remodeling of existing structures. The Visitability requirements are not the same as federal or state accessibility or adaptability requirements.

- b) Also see **813-310-0020, (17), (b)** for exceptions additional to those mentioned in the Applicability excerpt in a) above and pertaining to projects funded with OHCS Bond Financing.
- c) Visitability Related Variance Requests  
Requests for a Variance or “Exemption” from Visitability requirements per ORS 456.513 must be made per the Variance Request protocol given in Chapter 1.5, Section 1.5.03 of this Manual.

**Important**

**Important timing requirements for Visitability Variance Requests apply and are defined in Chapter 1.5, Section 1.5.03 of this Manual.**

#### 5.1.03-3 Federal Regulations Pertaining to Accessibility

The Owner’s Project Development Team is responsible for understanding how the regulations listed in this section apply to their project and for ensuring that the requirements set forth therein are fully complied with.

- a) Federal Accessibility Regulations Pertaining to All Projects Regardless of how they are Funded:
- 1) Titles II and III of the Americans with Disabilities Act (ADA); Implemented by 28 CFR parts 35 and 36. As applicable.

Reference: (The Americans with Disabilities Act, Titles II and III, may apply to housing. Title II applies to the activities of state and local governments, including housing. Title III applies to places of public accommodation, such as rental and sales offices.)<sup>1</sup>

Footnotes:

- 1) Information in parentheses is referenced from the Fair Housing Accessibility First web site:  
<http://www.fairhousingfirst.org/resources/laws.html>

Project Development Manual (PDM)  
Baseline Project Requirements **BPR(s) 5.1**  
Development Codes & Regulations

- 2) Fair Housing Act as Amended (applicable to **Covered Multifamily Housing Projects** as defined in 24 CFR 100.201). Implemented by 24 CFR 100.205.

Reference: (Prohibits discriminatory housing practices based on disability and family status. The Fair Housing Act also prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex and national origin. The Fair Housing Act establishes seven design and construction requirements for all covered multifamily dwellings consisting of four or more units designed and constructed for first occupancy on or after March 13, 1991. The sections of the regulations that address design and construction issues are 24 Code of Federal Regulations (CFR) 100.205 and some definitions are found in 24 CFR 100.201. Other portions of the regulations that deal with disability issues are in 24 CFR 100.201-.203.)<sup>1</sup>

- b) Federal Accessibility Regulations and Standards Additional to 5.1.03-3, a) & Pertaining only to Projects Subsidized with Federal Funding:

- 1) Section 504 of the Rehabilitation Act of 1973; Implemented by 24 CFR Part 8. As applicable.

Reference: (Section 504 of the Rehabilitation Act bars recipients of federal funds from discriminating on the basis of disability. Section 504, is enforced by HUD. For recipients of funding from HUD, the law requires that in new construction and substantial alterations at least 5% of the housing units are accessible to people with mobility impairments and at least 2% of the housing units are accessible to people with vision or hearing impairments. In addition, Section 504 requires recipients to make reasonable accommodations, including structural changes, so that people with disabilities can use and enjoy housing. Section 504 covers all of the programs and activities of a recipient of federal financial assistance, and has additional requirements beyond those described here.)<sup>1</sup>

- 2) Architectural Barriers Act of 1968 (ABA) and Uniform Federal Accessibility Standards (UFAS).

Reference: (The Architectural Barriers Act is a general accessibility law that requires buildings owned, leased, or operated by the federal government, and those financed by a grant or loan from the federal government, to be accessible. The accessibility standards used under the Architectural Barriers Act is UFAS.)<sup>1</sup>

**Important Notes:**

- i. HUD Notice Allowing Alternative Standard to UFAS

(The HUD Alternative Standard applies only to HUD subsidized projects. Projects teams working on projects with USDA Rural Development (RD) funding and where use of the UFAS alternative is desired must contact RD to determine if the UFAS alternative is allowed).

**Excerpt from HUD Notice, FR Doc. 2014–11556:**

In March 2011, the Department of Justice (DOJ), pursuant to its coordination authority under Section 504, advised Federal agencies that they may permit covered entities to use the 2010 ADA

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Footnotes:

- 1) Information in parentheses is referenced from the Fair Housing Accessibility First web site:  
<http://www.fairhousingfirst.org/resources/laws.html>

## 5.1 BPR(s) Baseline Project Requirements

### Development Codes & Regulations

Standards for Accessible Design (2010 Standards) as an acceptable alternative to the Uniform Federal Accessibility Standards (UFAS)... except for certain specific provisions.<sup>1</sup>

The subject HUD Notice can, as of the publish date of this Manual, be accessed via the following internet web address:

<https://www.gpo.gov/fdsys/pkg/FR-2014-05-23/pdf/2014-11844.pdf>

ii. Application of the UFAS and ICC A117.1 Standards:

Though the UFAS and Chapter 11 of the OSSC<sup>2</sup> (based on the ICC A117.1 standard) contain many overlapping or identical Accessibility related provisions there are critical differences. The Project Owner's Architect is expected to be familiar with the differences between the two standards, their applicability to the subject project, and the appropriate integration of the OSSC and UFAS requirements into projects subsidized with federal funding.

c) Additional Federal Accessibility Related Resources:

- 1) As of the publish date of this Manual, additional general Information regarding federal accessibility laws was, and may still be obtainable at the following HUD based internet web address:

[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/disabilities/accessibilityR](https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/accessibilityR)

- 2) United State Access Board

The U.S. Access Board can provide assistance with interpretation of the federal laws pertaining to accessibility and can provide technical assistance with respect to approved pathways to achieving compliance with all federal laws and their respective accessibility requirements.

<https://www.access-board.gov/the-board>

#### 5.1.03-4\_Natural Hazards Mitigation : General

The Department currently looks to the individual local jurisdictions (cities and counties) to define, implement and enforce Natural Hazard risk reduction or resilient building strategies appropriate for each region or jurisdiction. State law requires all jurisdictions to develop and enforce comprehensive plans and implementing ordinances that are in fundamental alignment with Oregon's Statewide Land-Use Planning Program. Of particular relevance is "Goal 7" of the aforementioned program that calls for local jurisdictions to establish inventories, policies and ordinances that guide local development within and away from areas prone to natural hazards. Unless more stringent requirements apply to the project stemming from Section 5.1.03-5 of this Chapter, OHCS regards projects that have been designed and constructed in accordance with all applicable State and Local Development codes per Section 5.1.03-1 of this Chapter to have satisfied this BPR.

#### 5.1.03-5\_Natural Hazards Mitigation : Federal Regulations (HUD)

(Reserved)

#### 5.1.04\_\_Construction Permits

The appropriate building permits must be obtained from all required authorities having jurisdiction over the subject project prior to commencing construction.

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Footnotes:

1) Federal Register / Vol. 79, No. 100 / Friday, May 23, 2014 / Rules and Regulations

2) OSSC : Oregon Structural Specialty Code

### **5.1.05 \_\_\_ Project Development Requirements Imposed by Other Project Stakeholders**

Project Partners and/or Stakeholders other than OHCS may have project requirements in addition to those identified in this Chapter and in other parts of this Manual. It is the responsibility of the Owner's Development Team to identify and satisfy all project requirements expected from all project Stakeholders. Examples of other possible project stakeholders that may have development related requirements include but are not necessarily limited to:

- **United States Department of Housing & Urban Development (HUD)**  
(Most notably potential development related limitations stemming from the required NEPA review. Also see 5.1.08-2.
- **United States Department of Agriculture (USDA) Rural Development**
- **LIHTC Equity Investor(s)**
- **Other**  
(Federal and State government Department, quasi-governmental, and/or private sector funding entities that have an interest in the project).

### **5.1.06 \_\_\_ Reconciling Potential BPR Conflicts**

It is the responsibility of the Owner and their Development Team to resolve any conflict that may be identified between the BPRs to the satisfaction of the entities that administer or enforce the requirements that are conflicting. By default, where project requirements are determined to be in conflict with one another, the more restrictive requirement shall take precedence however, both requirements must remain satisfied.

### **5.1.07 \_\_\_ Project Owner Responsibility for Accurate, Complete, and Appropriate Application of BPRs.**

The Project Owner is solely responsible for their Development Team's accurate, complete, and appropriate application of the BPRs to a given project. Where project development related documents are submitted to the Department for review and/or for record keeping purposes pursuant to the requirements of this Manual (PDM), such submittal in no way obligates the Department to determine that the documents are correct, complete, or in compliance with applicable laws, regulations and/or requirements established by project stakeholders outside of OHCS.

### **5.1.08 \_\_\_ Related Requirements**

Sections 5.1.08-1 through 5.1.08-3 below refer to project requirements that are defined in other Parts of this Manual or other Department guidance materials depending on their applicability to a given project.

#### **5.1.08-1 \_\_\_ OHCS Development Standards Overlay (DSO)**

Separate from, and in addition to the BPRs referenced in this Chapter, OHCS has established Department-Based Development Standards that constitute a required "overlay" to the BPRs. OHCS Development Standard Overlays (DSO)s are located and further defined in Part 6 of this Manual.

#### **5.1.08-2 \_\_\_ NEPA Review**

For projects seeking federal funding assistance via a Department administered Program, OHCS is required, as a HUD designated Responsible Entity, to perform an Environmental Review of the project to determine compliance with the National Environmental Policy Act (NEPA) and other related Federal and State environmental laws. The NEPA review can lead to additional project requirements based on the project's projected natural and cultural resource impacts. For more information regarding the NEPA review, contact the OHCS Federal Programs Manager.

## 5.1 BPR(s) Baseline Project Requirements

### Development Codes & Regulations

#### 5.1.08-3 State and Federal Prevailing Wage Rate (PWR) Laws

Depending on project characteristics, some affordable housing projects will have Davis Bacon Act and/or State of Oregon Bureau of Labor & Industry (BOLI) labor related regulations that apply. Because these laws are complex and because they can have significant financial and legal impacts on a project, it is important that the Project Owner be clearly aware of when and how these laws apply or when they do not apply to their project. An OHCS Loan Officer or Program Manager can assist in determining the applicability of these laws to a given project or provide guidance on where additional information on applicable labor laws can be obtained.

Project Owners that have received a conditional award of funding should refer to the Department issued, project specific Reservation and Conditions Letter for any Department requirements for demonstrating the Project Team's compliance with PWR laws.

# Development Team Requirements

## 5.2.01 \_\_ Chapter Overview

Chapter 5.2 defines the Department's requirements pertaining to certain critical Development Team members during the Design and Construction phases of the project.

Development Team members that either perform services or fulfill one of the roles listed below during the Design and Construction Phases of the project have requirements established by this Chapter.

- Project Owner
- Architect of Record & Other Licensed Professionals Under Contract with the Project Owner
- Prime Construction Contractor (General Contractor (GC))

## 5.2.02 \_\_ Definition of 'Development Team'

For purpose of this Manual, the terms 'Development Team' and 'Owner's Development Team' represent the Project Owner and all entities engaged directly by the Project Owner in any project development related capacity including, but not limited to, the planning, design, and construction of the project.

## 5.2.03 \_\_ Applicability

Unless exempted from all or portions of the requirements of this Chapter per Table 1.0 (located in Chapter 1.0), the Project Owner and their Development Team must comply with the requirements of this Chapter.

## 5.2.04 \_\_ Other Development Team Related Requirements and Conditions

The requirements given in this Chapter are supplemental to other Department issued guidance manuals and legally binding documents that may have Development Team requirements not referenced or duplicated in this Chapter. Development Team members identified in this Chapter must confirm with the Project Owner that they have been made aware of any such requirements and/or have been given access by the Project Owner to any Department issued documents that have requirements or conditions applicable to their respective role in the project. Also see related Sections of this manual; Chapter 1.1, Sections 1.1.02 and 1.1.03.

## 5.2.05 \_\_ Equity in Contracting

Central to the Department's mission is its belief that an Oregon economy based on inclusiveness promotes stronger, more interconnected, more resilient communities. In keeping with this belief and its core values, the Department encourages the engagement of Minority, Women, Emerging Small Business (M/WESB) and other under- served or disadvantaged Certified Oregon businesses on projects receiving project funding via Department administered programs. Project Teams are expected to make concerted efforts to actively seek out opportunities to contractually engage with M/WESB businesses. Project teams that have received a conditional award of funding from the Department can find the Department's current requirements for demonstrating the Project Team's commitments to Equity-In-Contracting in their project specific [Reservation & Conditions Letter](#). Businesses interested in becoming M/WESB certified or parties interested in connecting with M/WESB certified businesses can contact COBID (Certification Office for Business Inclusion and Diversity) at the following web link: <https://www.oregon4biz.com/How-We-Can-Help/COBID/>

5.2 BPR(s) Baseline Project Requirements

Development Team Requirements

5.2.06 Project Owner

The Project Owner’s requirements under this chapter are as follows:

1) General Requirements

- a) Confirm that the proposed Development Team members meet the professional qualification requirements of this Chapter before engaging them on any OHCS funded project and confirm that they have the capacity to provide all contract and insurance requirements defined by this Chapter.
b) Obtain all insurance certificates from all Development Team members covered under Section 5.2.09 of this Chapter and submit them to the Department prior to Finance Closing.
c) Owner requirements additional to those listed in this Section are given in the project Specific Reservation & Conditions Letter.

2) Building Industry Professionals that Must Be Included on Project Owner’s Project Team

The professionals listed below must be included on the Project Owner’s Project Team and must be under contract directly with the Project Owner entity. This list is not intended to name all professionals that may be necessary to competently engage housing development projects that contain Department program funding.

- a) Registered Architect
b) Oregon Licensed General Contractor
c) [Reserved]

3) Requirements For and Between Owner and Building Industry Professionals

Contract requirements for and between the Project Owner and the Building Industry Professionals listed in item 2) above:

Table with 2 columns: Requirement, Reference. Row a) Registered Architect, See Section 5.2.07. Row b) Oregon Licensed Construction Contractor, See Section 5.2.08. Row c) [Reserved], ----

4) Owner Carried Insurance Requirements (During the Term of the Construction Contract)

Refer to Section 5.2.09 of this Chapter

5.2.07 Architect of Record

The following Department requirements must be met:

a) Licensed Architect Required

All projects receiving funding via one or more Department administered programs must have project design and construction administration services performed by an Architect licensed in the State of Oregon. This requirement pertains to all New Construction, Remodel, or Rehabilitation projects receiving OHCS funding and where any such work is performed, either with or without new OHCS based funding, on properties that exist within the Department’s Asset Management Portfolio. This requirement applies even when Oregon Statute does not require the involvement of a licensed design professional.

Exception:

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Baseline Project Requirements **BPR(s) 5.2**  
Development Team Requirements

In some limited circumstances where the scope of the project requires only a specific and specialized design discipline (e.g. design and project scope development for structural repairs only) the Department may, when permissible by law, allow an individual who is not an Oregon licensed architect to perform the needed design services.

**2) Experience**

The Project Owner must engage design professionals/firms that can demonstrate that they have prior experience in the capacity of 'Architect of Record' on publicly subsidized multifamily residential projects.

**3) Contract & Scope of Work Requirements**

At a minimum, the following contract elements are required:

- a) The contract between Owner and Architect must be developed using standard AIA contract forms.
- b) The scope of the Architect's services must be clearly delineated.
- c) The Architect's fee must be for a fixed amount.
- d) The Architect's scope of services must incorporate standard Construction Phase support including, but not necessarily limited to, periodic Construction Observation site visits and associated architect prepared Construction Observation reports.

**4) Insurance Requirements**

Refer to Section 5.2.09 of this Chapter

**5.2.08 Prime Construction Contractor (General Contractor)**

The following Department requirements must be met:

**1) Oregon Licensed (Construction Contractor's Board (CCB)) Construction Contractor Required**

The General Contractor (GC) and all sub-contractors must carry and maintain in good standing, for the full duration of their involvement in the project, the appropriate CCB endorsements for the work being undertaken. Additionally, the General Contractor and all sub-contractors must not have any current or previous (preceding 10 years) CCB disciplinary actions with the Board.

**2) Current/Prior Litigation**

Any current or previous construction contract related litigation involving the General Contractor, the General Contractor's organization, or any other individual with an ownership position in the General Contractor's organization over the past 10 years must be disclosed in writing to the Department prior to any Project Owner-GC contract being executed. The Department may disqualify the General Contractor from participation in the project if, at the Department's sole discretion, the circumstances of the litigation are deemed by the Department to be unsatisfactorily explained.

**3) SAM Suspension or Debarment**

Contractors listed as Suspended or Debarred on the US General Services Administration's (GSA) System for Award Management (SAM) website (<https://www.sam.gov/>) are ineligible to participate in any project receiving any form of funding from an OHCS administered program.

**4) Experience**

The Project Owner must engage a General Contractor that can demonstrate they have prior experience in the capacity of General Contractor on publicly subsidized multifamily residential projects.

## 5.2 BPR(s) Baseline Project Requirements

### Development Team Requirements

#### 5) Contract Between Owner and General Contractor

At a minimum, the contract must meet the following requirements:

- a) The contract must be developed using standard AIA contract forms.
- b) The contract must incorporate by reference the most current edition of form AIA A201, General Conditions of the Contract for Construction. Any modifications or additions to AIA A201 must be delineated in a Supplementary Conditions section of the contract.
- c) The Owner-GC contract amount must be for a stipulated sum (fixed price).
- d) The contract must comply with the all contract requirements that may be stipulated in legal documents executed between the Department and the Project Owner and any requirements that may be stipulated within the project specific Reservation and Conditions Letter issued by the Department to the Project Owner.

#### 6) Contractor's Surety

OHCS does not currently have a Contractor's Surety requirement. The Project Owner should seek advice on the advisability of requiring a Contractor's Surety. Project Stakeholder's outside of OHCS may have a Contractor's Surety requirement.

#### 7) Insurance Requirements

Refer to Section 5.2.09 of this Chapter

### 5.2.09 Development Team Minimum Insurance Requirements

Minimum insurance requirements are based on the type of Department funding in the project as follows:

- Projects that contain any form of funding via a Department administered program must comply with the requirements of Section 5.2.09a.
- When any amount of Department funding in the subject project is in the form of a grant or loan, then in addition to compliance with Section 5.2.09a, the project must also comply with Section 5.2.09b.

#### Important Notes:

1. The Project Owner is obligated to ensure that the Development Team entities identified in this Section are carrying the insurance coverages required. Further, Development Team principals are obligated to confirm with the Project Owner that they are carrying the appropriate insurance based on the type of Department funding in the project.

### 5.2.09a Development Team Insurance Requirements on all Projects containing any form of Funding via a Department Administered Program:

#### 1) Project Owner Carried Insurance Requirements (During the Term of the Construction Contract)

- a) Commercial General Liability conforming to the following minimum requirements:

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Baseline Project Requirements **BPR(s) 5.2**  
Development Team Requirements

- Coverage with limits for bodily injury and property damage of not less than \$1,000,000 per occurrence and \$2,000,000 in aggregate.
- Must name Oregon Housing & Community Services as a Certificate Holder and as an Additional Insured;
- Coverage must include Products and Completed Operations and must remain in force for at least twelve (12) months following the date of Substantial Completion.
- Insurer must provide OHCS with 30 days prior written notice in the event of cancellation, non-renewal or material change;
- Insurer must be authorized to transact business in the State of Oregon and must have an A.M. Best rating of A- or better.

**2) Architect of Record & All Other Licensed Professionals under Contract with the Project Owner (Except Construction Contractor)**

No Department Requirements under this Section.

Notes:

1. Also see Section 5.2.09b; 2) for insurance required under that Section.
2. Insurance requirements that may be identified in the Project-Owner/OHCS Legal Documents or the project's Reservation & Conditions Letter take precedence over Section 5.2.09a, 2).
3. Though OHCS does not have an insurance requirement under this Section of the PDM, the Project Owner should seek appropriate guidance on the types and levels of coverage needed to mitigate their project risk.

**3) General Contractor**

No Department Requirements under this Section.

Notes:

1. Also see Section 5.2.09b for insurance required under that Section.
2. Insurance requirements that may be identified in the Project-Owner/OHCS Legal Documents or the project's Reservation & Conditions Letter take precedence over Section 5.2.09a, 3).
3. Though OHCS does not have an insurance requirement under this Section of the PDM, the Project Owner should seek appropriate guidance on the types and levels of coverage needed to mitigate their project risk.

## 5.2 BPR(s) Baseline Project Requirements

### Development Team Requirements

#### 5.2.09b Development Team Insurance Requirements when the Project Contains any Department Administered Program Funding in the Form of a Grant or Loan:

##### Important Notes:

1. Projects containing Department funding in the form of a grant, loan, or OHCS issued public debt (bonds) must also comply with section 5.2.09a of this Chapter.
2. Program funding in this category may include but are not necessarily limited to:
  - Home investment Partnership Program (HOME)
  - National Housing Trust Fund (HTF)
  - General Housing Account Program (GHAP)
  - Local Innovation & Fast Track (LIFT)
  - Housing Development Grant Program (HDGP)
3. Though some projects may not be required by the Department to carry the insurance required under Section 5.2.09b (such as projects with funding limited only to Low Income Housing Tax Credits (LIHTC) and/or Oregon Affordable Housing Tax Credits (OAHTC), entities other than OHCS with a financial interest in the project may require insurance similar to and/or in addition to coverages listed in this Section.

#### 1) Owner Carried Insurance Requirements

##### a) "All Risk" Builder's Risk Insurance

Either the GC or the Project Owner must provide this coverage during the Construction Phase of the project. Coverage must conform to the following minimum requirements:

- Coverage with Limits not less than the amount of the Construction Contract or 100% of the insurable replacement value of such building(s) or improvements (whichever is greater);
- Must Name Oregon Housing & Community Services as Loss Payee;
- Must have a Replacement Cost Valuation Basis;
- Must include an Agreed Value Clause (no co-insurance);
- Must include Flood Insurance (when the subject site exists in a FEMA Map A Zone) in an amount equal to the lesser of the current amount of the OHCS administered funding in the project or the maximum limit of coverage allowed by FEMA.
- Insurer must provide Oregon Housing & Community Services with 30 days prior written notice in the event of cancellation, non-renewal or material change;
- Insurer must be authorized to transact business in the State of Oregon and must have an A.M. Best rating of A- or better.

##### b) Worker's Compensation Insurance (As required by the State of Oregon)

- Coverage meeting Statutory Limits.
- OHCS must be named as a certificate holder.
- Entities without employees must provide a written statement issued to OHCS stating that they do not have employees.

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Baseline Project Requirements **BPR(s) 5.2**  
Development Team Requirements

- c) Automobile Liability Insurance
- Coverage including limits for bodily injury and property damage of not less than \$1,000,000 per occurrence.
  - OHCS must be named as both additional insured (provide endorsement) and as a certificate holder.
  - Entities without autos must provide written proof to OHCS of having “non-owned and hired” coverage.
- d) Title Insurance
- ALTA Extended Lender’s Policy (Standard coverage is acceptable for Acquisition and/or Rehabilitation projects)
  - The Endorsements listed below are required. The Department may require additional Endorsements as determined on a case-by-case basis and based on project specifics.
    - i. OTIRO 209.10-06 (Private Rights, Current Assessments, Restrictions, Encroachments, Minerals)
    - ii. OTIRO 208.2-06 (Commercial Environmental Protection Lien Endorsement)

**Exception**

Projects that do not contain any funding in the form of an OHCS Loan (do not have a Note and a Trust Deed associated with OHCS funding) do not require Title Insurance.

**2) Architect of Record & All Other Licensed Professionals (Except Construction Contractor) Under Contract with the Project Owner**

- a) Commercial General Liability
- Coverage with limits for bodily injury and property damage of not less than \$1,000,000 per occurrence and \$2,000,000 in aggregate.
  - Must name Oregon Housing & Community Services as a Certificate Holder and as an Additional Insured;
  - Coverage must include Products and Completed Operations and must remain in force for at least twelve (12) months following the date of Substantial Completion.
  - Insurer must provide OHCS with 30 days prior written notice in the event of cancellation, non-renewal or material change;
  - Insurer must be authorized to transact business in the State of Oregon and must have an A.M. Best rating of A- or better.
- b) Professional Liability or Errors & Omissions Insurance
- Coverage with limits of not less than \$1,000,000 per occurrence.
- c) Worker’s Compensation Insurance (As required by the State of Oregon)
- Coverage meeting Statutory Limits
  - OHCS must be named as a certificate holder
  - Entities without employees must provide a written statement issued to OHCS stating that they do not have employees.
- d) Automobile Liability Insurance
- Coverage including limits for bodily injury and property damage of not less than \$1,000,000 per occurrence.
  - OHCS must be named as both additional insured (provide endorsement) and as a certificate holder.

## 5.2 BPR(s) Baseline Project Requirements

### Development Team Requirements

- Entities without autos must provide written proof to OHCS of having “non-owned and hired” coverage.

#### 3) Prime Construction Contractor (General Contractor)

- a) “All Risk” Builder’s Risk Insurance  
(Either the GC or the Project Owner must provide this coverage during the Construction Phase of the project. See 5.2.09b; 1); a), for requirements.
- b) Comprehensive General Liability
  - Coverage with limits for bodily injury and property damage of not less than \$1,000,000 per occurrence and \$2,000,000 in aggregate.
  - Must name Oregon Housing & Community Services as a Certificate Holder and as an Additional Insured;
  - Coverage must include Products and Completed Operations and must remain in force for at least twelve (12) months following the date of Substantial Completion.
  - Insurer must provide OHCS with 30 days prior written notice in the event of cancellation, non-renewal or material change;
  - Insurer must be authorized to transact business in the State of Oregon and must have an A.M. Best rating of A- or better.
- c) Worker’s Compensation Insurance (As Required by the State of Oregon)
  - Coverage meeting Statutory Limits
  - OHCS must be named as a certificate holder
  - Entities without employees must provide a written statement issued to OHCS stating that they do not have employees.
- e) Automobile Liability Insurance
  - Coverage including limits for bodily injury and property damage of not less than \$1,000,000 per occurrence.
  - OHCS must be named as both additional insured (provide endorsement) and as a certificate holder.
  - Entities without autos must provide written proof to OHCS of having “non-owned and hired” coverage.

## DSO : Introduction & Instructions

### 6.0.01\_\_Chapter Overview

Part 6 of the PDM defines OHCS's Development Standards. These Standards are additional to the BPRs referenced in Part 5 of this Manual. Because the Standards outlined in Chapters 6.0 through 6.2 are "additive" to the BPRs they are referred to as Development Standards "Overlays" or, more simply, as DSOs. The DSOs define what OHCS currently deems to be "best practice" project development goals for all housing projects supported by funding provided by the Department.

Part 6 of the PDM is comprised of three Chapters as follows:

- Chapter 6.0 : DSO Introduction & Instructions
- Chapter 6.1 : DSO for New Construction
- Chapter 6.2 : DSO for Rehabilitation

### 6.0.02\_\_Project and Development Team Conformance with DSOs Required

All projects receiving subsidy assistance from OHCS administered funding programs must comply with the appropriate DSO based on the type of project e.g. New Construction, Rehabilitation, or a combination of both types. Unless exempted from all or portions of the requirements defined in this chapter per Section 6.0.03 of this Chapter, the Owner's Project Development Team must incorporate the design elements and principles required by the applicable DSO into the Project.

### 6.0.03\_\_Potential Exemption from Some Requirements of PDM Part 6

The following items may adjust how part 6 applies to a specific project:

- 1) Refer to Chapter 1.3 for the required level of PDM compliance (PDM Applicability) based on the type of OHCS funding awarded to a project.
- 2) Refer to the Project's Reservation and Conditions Letter (RCL) for any project specific exemptions that may be listed.
- 3) Potential exemptions/variances granted by the Department under Section 6.0.06 of this Chapter.

### 6.0.04\_\_Completing the DSO Checklist for Multi-Site Projects

Multi-site or "scattered"-site projects must complete an appropriate and separate DSO Checklist specifically tailored for each site. (Applies only to projects that are required to submit a completed DSO Checklist to the Department).

### 6.0.05\_\_Some DSO Items May Not Apply to All Projects

Some of the items listed in the Chapter 6.1 and 6.2 DSO Checklists may not apply to all projects. For example, some items listed apply only to project that are receiving federal funding. When a DSO item has limited applicability, the limitation will be identified in the checklist item. If the DSO Checklist item does not indicate any limit of applicability it applies to all projects irrespective of the type of funding it may be receiving via OHCS administered programs.

### 6.0.06\_\_Applicability of OHCS's DSO According to Targeted Special Needs Populations

In addition to PDM applicability exceptions that may apply per Section 6.0.03, 1), and 2) of this Chapter, projects that are intended to serve certain special needs populations may be granted an exception from having to comply with OHCS's DSO requirements. Many such special needs focused projects require housing design approaches that

## 6.0 DSO Development Standards Overlay

### Introduction & Instructions

are uniquely suited to the target population and therefore may render significant portions of OHCS's DSO inapplicable. If the Owner's Development Team believes that this is the case for a specific project, a Variance Request requesting to be relieved from having to comply with certain sections of the Department's DSO may be submitted for Department review (see Section 6.0.15 of this Chapter for more information regarding Design Deviations from the DSO). Variance Requests based on Special Needs Populations may request that the project be exempted from OHCS's DSO in its entirety, however, such blanket requests should be carefully considered to ensure that the requested exceptions are genuinely appropriate for the project.

#### 6.0.07\_\_Structure and Required Use of Chapters 6.1 and 6.2 (DSO Checklists)

Chapters 6.1 and 6.2 have been developed in a "checklist" format that allow for easy tracking and review of the DSO requirements by the Project Owner's Development Team and by OHCS staff. The Department requires that Chapters 6.1 and 6.2 be used by the Owner's Development Team as a tool to track OHCS's Development Standards and to assist the project Architect in assuring that they are addressed in the project drawings and specifications. The Project Architect is encouraged to refer to the DSO Checklists at regular intervals during the design process and to periodically update the Checklists in conjunction with the development of the Construction Documents. See Section 6.0.13 of this Chapter for more detailed instructions on completing the DSO Checklists.

#### 6.0.08\_\_Other OHCS Project Requirements

Refer to the following Chapters for other OHCS-Based Development Standards Overlays that are additional to the requirements referenced in Part 6 of this Manual:

- PDM Part 7 : Sustainable Development Standards

#### 6.0.09\_\_Precedence of PDM Chapter 5.1 (BPR)s Over PDM Part 6 (DSO)s.

By default, Federal, State, and Local Codes and Regulations take precedence over the OHCS DSOs when they are determined to be in direct and irreconcilable conflict. If a potential conflict is one of a matter of degree to which a particular condition is to be met then the higher Standard or the more restrictive Requirement shall take precedence as long as each Standard or Requirement remains satisfied. The Project Architect must notify the OHCS Architect in writing if and when such conflicts are identified.

#### 6.0.10\_\_Projects Involving Both New Construction and Rehabilitation

Projects falling into the following categories must complete the Checklists for **both** DSO 6.1 and DSO 6.2:

- Projects involving both rehabilitation of a building or portion of a building in conjunction with undertaking a new building addition or other major site improvements.
- Substantial rehabilitation where the character of the building envelope is substantially modified.

#### 6.0.11\_\_Development Standard Classifications or "Class"

The OHCS DSO is made up of Design Standards and Principles that fall in to the following categories:

##### Development Guideline "G"

Development principles or elements defined as a "Guideline" are deemed by the Department to be default best practice approaches. The Department understands that design is a complex process and that certain default Guidelines may not always be compatible with the best overall design opportunity given the unique set of project characteristics that may exist. Though Guidelines are to be regarded first as "Requirements", the Department allows flexibility for the Project Team to adapt Guidelines as they deem prudent to better meet higher level design goals for the project. It should be stressed that the Department allows for this flexibility as long as it is clear from the alternate approach taken that deviation from a specific Guideline better allows the overall design to meet the Department's priorities and goals for Affordable Housing Development. The Owner's Project Team is responsible

# Project Development Manual (PDM)

## Development Standards Overlay **DSO 6.0**

### Introduction & Instructions

for ensuring that deviation from an OHCS Design Guideline will not jeopardize the project's conformity with requirements that may be established by project stakeholders other than OHCS. Development Guidelines are indicated with a letter "G" in the "Class" column of the DSO Checklist.

#### Development Expectation "E"

Like "Guidelines" development principles or elements defined as an "Expectation" are deemed by OHCS to be default best practices. They are different from Guidelines in that they are deemed to be virtually universal and fundamental to any well considered project hence the given classification of "Expectation". Development Expectations must be integrated into the project design. They are indicated with a letter "E" in the "Class" column of the DSO Checklist.

#### Development Requirement "R"

Development principles and elements defined as a "Requirement" differ from "Guidelines" and "Expectations" in that they represent design principles having one or more of the following characteristics:

- They represent a critical code or regulation reminder.
- They represent principles that are deemed by the Department to be fundamentally important to Department assisted housing projects and that might not otherwise be considered.
- They represent principles that are vulnerable to 'erosion' due to development related pressures that are peripheral to and are often in conflict with preserving livability and functionality.

Development "Requirements" are just that; they are **required** and they must be integrated into the project design. Design Requirements are indicated with a letter "R" in the "Class" column of the DSO Checklist.

#### Value Added Upgrade "VAU"

Development principles and elements defined as "Value Added Upgrades" are suggested design related upgrades from the default minimum Standard. These elements are Elective or Optional and are indicated with a "VAU" in the "Class" column of the DSO Checklist.

### **6.0.12 \_\_ All OHCS Funded Projects Must Conform to the DSO**

Even when a project is exempt from filling out and submitting the DSO Checklist (*instructions for completing and submitting the DSO Checklist are given in Section 6.0.13*) as may be permissible per Chapter 1.3, all projects must still comply with all items (as applicable to the project) listed in the appropriate DSO Checklist. Additionally, design deviations from the DSO, when needed, must still be communicated to, and approved by the Department per Section 6.0.15 of this Chapter even when filling out and submitting the DSO Checklist is not required.

### **6.0.13 \_\_ Instructions for Completing and Submitting the DSO Checklist**

Complete and Submit DSO checklists to the Department as follows:

#### 1) Checking-Off the DSO Checklist

A checkmark should be placed in the box next to each item listed in the Standards Checklist (as applicable) as it is addressed within the Construction Document development process. Except for VAU classed items, all items listed in the DSO must be addressed in the drawings and/or the Specifications.

## 6.0 DSO Development Standards Overlay

### Introduction & Instructions

#### **Important**

If a Development Standard listed in the DSO Checklist cannot be addressed as expected or if the project design proposes a substantial deviation from the Standard, the checklist box associated with that item must be left empty and reference must be made in the “CD Ref.” column referencing the manner in which the Department has granted approval of the Design Deviation from the DSO (Variance Request, Email, Other). See Section 6.0.15 of this Chapter for more information on Design Deviations from the DSO.

#### 2) Referencing Where the Standard is Addressed in the Construction Documents

As an aid to Department personnel who will be reviewing the completed Standards Checklist, the project Architect is requested to identify in the **CD Ref.** column of the Checklist where the Standard has been addressed within the Construction Documents. A very general reference to the location is sufficient, for example, “Site Plan Note number xx”, “Upper left corner of sheet xx”, “Page xx of the Project Manual”, etc. The Architect is not required to provide a referenced location for every item but may use their discretion in providing this information where they feel it would be helpful to the OHCS document reviewer.

#### 3) Signing and Submitting the DSO Checklist

The Project Architect must sign and submit the completed Standards Checklist with Submittal-4. (See Chapter 4, Section 4.1.02-4 of this Manual regarding information on Submittal-4).

#### **6.0.14 OHCS Guidance References**

In some cases there may be an OHCS provided guidance related reference source indicated in the **OHCS Guidance Ref.** column of the checklist. Information provided in this column will refer the user of the Standards Checklist to additional information related to the associated item. This column of the checklist is for Department use.

#### **6.0.15 Design Deviations from the DSO**

Any proposed deviation from a DSO Development Expectation or Development Requirement necessitates issuance of a formal Variance Request to the Department. (See Chapter 1.5, Section 1.5.03 for information on Variance Requests).

#### Exception:

A Variance Request is not automatically required when the project design deviates from a Development Guideline. Because Development Guidelines are typically more general and subjective in nature, the Department allows Architect discretion on Guideline classified items. However, when a substantive deviation from a Guideline is proposed by the Owner’s Team, a less formal form of communication with the OHCS Architect i.e. an email, etc. is still requested as a courtesy to the Department. The Department allows the Project Architect discretion in determining what constitutes a “substantive deviation from a Guideline” and where communication with the OHCS Architect is needed.

#### **6.0.16 OHCS Maintains Right to Keep “Guideline” as “Requirement”.**

Where the Owner’s Development Team proposes a substantial deviation from a Development Guideline and where the Department, at its sole discretion, considers the proposal to be misaligned with the spirit and intent of the DSO, the Department maintains the right to treat the Guideline as a Requirement and to exercise its right, when needed, to require full project compliance with the Guideline as a condition for maintaining the Project Owner’s funding eligibility with the Department.

# OHCS SDS Modules

## 7.1.01 Chapter Overview

Projects receiving funding via Department administered Programs must demonstrate a commitment to sustainable design and construction practices. In addition to the Baseline Project Requirements defined in Part 5 of this Manual, and the OHCS Development Standards Overlay defined in Part 6 of this Manual, the Department requires Department funded projects to comply with the three OHCS Sustainable Development Standards (SDS) Modules listed below. OHCS SDS Modules are defined in detail within this Chapter.

OHCS Sustainable Development Standards (SDS) Modules:

- SDS Module 1:** OHCS Approved **Sustainable Building Path**. See Section 7.1.03a of this Chapter for SDS Module 1 details.
- SDS Module 2:** OHCS **Solar-Ready Requirement**. See Section 7.1.03b of this Chapter for SDS Module 2 details.
- SDS Module 3:** OHCS **Electric Vehicle (EV)-Ready Requirement**. See Section 7.1.03c of this Chapter for SDS Module 3 details.

## 7.1.02 SDS Certification

All three SDS Modules are certified by the Project Owner and the Project Architect in a single 3-Part Certification Form consisting of Form parts; A-GC1, A-GC2, and A-GC3.

**The A-GC Series Certification Form is located at the end of this Chapter.**

The A-GC series Form is submitted to the Department at three different points in the project timeline as follows:

SDS Certification	Form	When and How to Submit to the Department
<b>Part 1</b>	<b>A-GC1</b>	<p style="text-align: center;"><b>Submit with the Project Owner’s Application for Funding.</b></p> <p>Form A-GC1 is also listed in PDM Chapters 3.1 and 3.2 that define what documents are required with the Application for funding.</p>
<b>Part 2</b>	<b>A-GC2</b>	<p style="text-align: center;"><b>Submit with PDM DPP Submittal-4.</b></p> <p>(Substantially Complete Construction Documents)                      See PDM Chapter 4.1, Section 4.1.02-4, Items 2) and 3) for information on DPP Submittal-4</p>
<b>Part 3</b>	<b>A-GC3</b>	<p style="text-align: center;"><b>Submit with PDM DPP Submittal-7.</b></p> <p>(Substantial Completion (Construction))                      (See PDM Chapter 4.3, Section 4.3.02-1, items 2) and 3) for information on DPP Submittal-7)</p>

Submittal of A-GC Form Series (SDS Certification) to the Department

Follow the submittal timing and electronic document submittal instructions provided on the A-GC Form Series itself and in the above table.

## 7.1 SDS Sustainable Development Standards

### OHCS SDS Modules

#### 7.1.03a\_SDS Module 1 : Sustainable Building Path

1) **Applicability**

All projects receiving funding via one or more Department administered programs.

2) **Path Selection**

Based on the type of project proposed, one of the Sustainable Building Paths listed below must be selected and the path requirements integrated into the project design. Project teams will be asked to identify which Sustainable Building Path they will pursue at the time they apply for funding from the Department.

**Department Approved Paths For  
New Construction Projects**

- **Enterprise Green Communities**  
(All dwelling units must be at or below 60% AMI to qualify)  
<https://www.enterprisecommunity.org/solutions-and-innovation/green-communities/certification/eligibility>
- **Earth Advantage Homes**  
<https://www.earthadvantage.org/certifications/earth-advantage-multifamily-certification.html>
- **LEED for Homes (H)**  
(LEED = Leadership in Energy and Environmental Design)  
<https://www.usgbc.org/articles/getting-started-homes>

**Department Approved Paths For  
Rehabilitation Projects**

- **Enterprise Green Communities**  
(All dwelling units must be at or below 60% AMI to qualify)  
<https://www.enterprisecommunity.org/solutions-and-innovation/green-communities/certification/eligibility>
- **OHCS Self-Directed Sustainable Building Path**  
See Section 7.1.04 of this Chapter for requirements associated with the Self-Directed (SD) Sustainable Building Path.

**Important**

Before committing to one of the Department approved Sustainable Building Paths, the Project Owner should familiarize themselves with the program requirements of the path they are considering and confirm program expectations with their Architect and with a 3<sup>rd</sup> party program facilitator / Sustainable Building Consultant certified by the program of interest.

3) **Certification**

SDS Module 1 Certification is achieved by following the 3-part certification process defined in Section 7.1.02 of this Chapter.

## 7.1.03b\_SDS Module 2 : OHCS Solar Ready Requirement

### 1) Applicability

OHCS Solar-Ready Requirements apply to housing projects characterized by all of the following:

- a) Consist of three (3) or more attached dwelling units
- b) Consist of proposed New Construction and/or proposed Substantial Rehabilitation. (Also see Note below).

Note:

Substantial Rehabilitation, for the purpose of this Section, is defined as a rehab where construction cost is 75% or greater of the cost to completely reconstruct the building or buildings.

- c) Are receiving or will receive project funding from OHCS.

### 2) Department Approved Alternate Approach for Meeting the OHCS Solar-Ready Requirement

Programs listed below are Department Approved Alternate Approaches to the OHCS Solar-Ready Requirement.

Energy Trust of Oregon (ETO)	Satisfactory completion (through construction) of an <u>Energy Trust of Oregon (ETO)</u> Solar or Solar-Ready Incentive Program will be regarded by the Department as having fulfilled the intent of OHCS Solar-Ready Requirement. See Section 7.1.05 of this Chapter for more information on the ETO Alternate Approach.
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### 3) OHCS Solar-Ready Requirement

Projects subject to the requirements of this Section per item 1) above must be designed and constructed to be “Solar-Ready” (either Solar-Thermal or Solar-Electric) per these Solar-Ready Requirements. Project Teams must have or must obtain solar design expertise sufficient to ensure competent execution of the requirements under this Section.

**Department direction given under this item (item 3) applies only when the project is not participating in a Department Approved Alternate Approach per item 2 of this Section.**

#### a) Feasibility Assessment

An assessment of the relative practicality or impracticality of incorporating solar energy provisions into the project must be engaged with a qualified solar consultant. The ETO’s website contains a list of ETO Solar Electric Trade Allies, all of whom provide solar feasibility and design consulting even when the project site is not within the ETO’s incentive program boundaries.

At a minimum, the Feasibility Assessment must include the following information:

#### i. **General Information:**

- Date of the Assessment Report.
- Solar Consultant’s name and their company name.

## 7.1 SDS Sustainable Development Standards

### OHCS SDS Modules

- Solar Consultant’s credentials and experience (include resume if available). Indicate if the Solar Consultant is listed with the ETO as a Solar Electric Trade Ally.
- Project name and location.
- Project Owner entity’s name and name of person acting as the primary contact for the owner on Solar-Ready design.
- Brief physical description of the property including; general site characteristics, existing building(s) characteristics and a brief description of any proposed new buildings if applicable.

#### ii. Opinion of Solar-Ready Practicality

Provide a brief summary of the assessment findings and a rationale for why the Solar Consultant believes that inclusion of Solar-Ready provisions in the project is, or is not “practical”. The assessment of Solar-Ready practicality should be forward looking, taking into account rapid advancements in solar energy systems technology, rapidly declining costs of solar energy systems, projected future costs of renewable vs. non-renewable energy sources, and the urgency of reducing dependency on non-renewable energy sources as a key factor in mitigating the harmful effects of climate change. The assessment may be based on any evaluation method(s) deemed appropriate by the Solar Consultant.

#### **When Solar-Ready provisions are determined to be impractical:**

If inclusion of Solar-Ready provisions in the project is determined to be Impractical, the Feasibility Assessment can be completed having addressed items 3), a), i. and ii. of this Section. The remaining parts of Section 7.1.03b are not applicable when Solar-Ready provisions have been determined to be impractical.

Submit the completed Assessment as prescribed in Section 7.1.06 of this Chapter

#### **When Solar-Ready provisions are determined to be feasible:**

If inclusion of Solar-Ready provisions in the project is determined to be feasible, the Solar-Ready Feasibility Assessment must also include items 3), a), iii through vii of this Section.

Additionally, when Solar-Ready provisions are determined to be feasible, item 3), b) and item 4) of this Section must also be engaged and completed during the design and construction phases of the project.

Submit the completed Assessment as prescribed in Section 7.1.06 of this Chapter.

#### iii. Solar-Ready Design Concept

The Assessment must include a brief outline description of the fundamental Solar-Ready design attributes and considerations that are projected to be involved in making the subject project Solar-Ready. This part of the Assessment must address the design considerations and elements listed below as they relate to the subject project. Any additional design considerations deemed important to the Project Team should also be discussed in this part of the Assessment. *(Items listed below are closely based on the ETO’s Solar Ready Commercial Design and Construction Requirements (V3)).* As this is still in the “Feasibility Assessment” phase of SDS Module 2, the Solar-Ready Design Concept can be provided in a brief narrative format that simply affirms that the items listed below will be addressed in

the Design Phase of the project and, where possible, provides additional detail on how they will likely be addressed in the Design Phase. Providing as much detail as possible and inclusion of design graphics (drawings, diagrams, etc.) in this part of the Feasibility Assessment is encouraged but is not required.

**The Solar-Ready Design Concept part of the Feasibility Assessment, at a minimum, must address/acknowledge the following system attributes and considerations:**

- a. Roof appurtenances such as HVAC equipment, vent stacks, plumbing stacks, ventilators, penthouses, communications systems/antennae, pipe runs and ductwork should, to the greatest extent possible, be minimized and when required, located on sections of the roof that are the least valuable areas for solar collection.
- b. Roof appurtenances should, to the greatest extent possible, be located such that large contiguous areas of roof can be reserved for solar collection equipment.
- c. The roof structure must be capable of accommodating the additional dead load anticipated as a result of the future rooftop solar equipment. Structural calculations must be performed to verify that the building structure will withstand solar system related wind and seismic forces as required by the building code. Solar system related structural loads must be clearly documented within the project's structural calculations.
- d. The project's roof plan must show the following:
  - Schematic layout of future solar collection equipment.
  - Location of the chase or conduit that will be installed as part of the currently planned project and designated as reserved for future solar system related wiring.
  - Location of fall protection anchors when roof pitch at the area of solar collection equipment exceeds 2:12. Anchors must be installed as part of the currently planned project when new roof coverings are part of the project scope.
- e. As part of the currently planned project, an appropriately sized area of wall and floor space in the electrical room, or other adjacent area to an electrical panel, must be designated in the construction documents as being reserved for future placement of inverter(s), meter(s) and switchgear associated with the future solar energy system. The construction documents should show schematic positioning of the future equipment both in plan-view and elevation-view and include the code required clearances. The size of these areas should be based on the inverter/equipment dimensions typical for the size of the proposed future solar system.
- f. As part of the currently planned project, an easily accessible chase or conduit must be installed from the proposed solar equipment at the roof to the location where the future solar energy inverter(s) meter(s) and switchgear will be located to accommodate future wire runs between the points of connection. If conduit is used, it must be of a type and size appropriate for the proposed system.
- g. A point of electrical interconnection (electrical panel) must be identified and sized in the construction documents to accommodate the greater of 20% above the calculated panel loads or an additional 12 watts per square foot of the proposed solar collection area. The electrical interconnection must be sized to include additional breaker positions to accommodate the sized system and the reserved breaker space must be labeled "Reserved for Solar Feed." The

construction documents must indicate that a sign or label be clearly posted on or near the solar interconnection point indicating that the building is “Solar Ready.”

**iv. Estimate of Initial Cost Premium (Construction Cost) and Potential Financial Incentives or Sources**

This part of the Assessment must include an opinion (estimate) of the initial construction cost associated with adding Solar-Ready provisions to the project. Guidance should also be given regarding incentives or potential sources of funding that may be available to offset the projected cost of making the project Solar-Ready.

**v. Preliminary Solar Design Assumptions & Goals**

This part of the assessment must describe reasonable future solar energy potential for the project. e.g. solar energy production, rough estimate of total energy demand served by solar energy, other reasonably assumable benefits and goals of a future solar energy system.

**vi. Service and Fee Proposal for Providing Solar Consulting Services during the Design and Construction Phases of the Project**

This part of the Assessment must include a proposal for Solar Design Consulting and associated fees for assisting the Project Owner and their Architect in making the project Solar-Ready.

**vii. Submission of the Completed Solar-Ready Feasibility Assessment to the Department**

Refer to Section 7.1.06 of this Chapter for SDS document submission protocols.

b) Detailed Solar-Ready Design

Once the Solar-Ready Assessment is completed, detailed Solar-Ready Design, based on the Solar-Ready concept outlined in the Feasibility Assessment must be integrated into the project. Detailed Design must include construction document level design definition of the Solar-Ready approach that will be taken. The Project Owner, in conjunction with their Architect, will determine the type and scope of Solar Design expertise that their team needs to complete a detailed Solar-Ready design for the project. Unless the Project Owner requests a more fully designed Solar System for the project, Solar-Ready design should be taken only as far as necessary and prudent to accomplish the aim of avoiding costly retrofit work when and if a full Solar System is added to the site and building(s) after the current scope of work for the subject project is completed.

**4) Certification**

SDS Module 2 Certification is achieved by following the 3-part certification process defined in Section 7.1.02 of this Chapter.

## 7.1.03c\_SDS Module 3 : OHCS Electric Vehicle (EV) Ready Requirement

### 1) Applicability

OHCS EV-Ready Requirements apply to housing projects characterized by all of the following:

- a) Consist of three (3) or more attached dwelling units.
- b) Consist of proposed New Construction and/or proposed Substantial Rehabilitation. (Also see Note below).

Note:

Substantial Rehabilitation, for the purpose of this Section, is defined as a rehab where construction cost is 75% or greater of the cost to completely reconstruct the building or buildings.

- c) Consists of one or more on-site parking spaces intended for use by any combination of the following users:
  - i. Residential Tenants/Residents
  - ii. Visitor Parking associated with the Residential functions of the property
  - iii. Employee and/or Visitor Parking associated with Residential Leasing Offices or any other business functions associated with the residential operations of the property.
- d) Are receiving or will receive project funding from OHCS.

### 2) Exempt Projects

Projects that will not have any on-site parking falling within the use description given under Section 7.1.03c, 1), of this Chapter are exempt from the requirements of item 3) of this Section. Even when exempt, The SDS Certification protocol per item 4) of this Section is still required.

### 3) OHCS EV-Ready Requirements

Projects subject to the Requirements of this Section per item 1) above must be designed and constructed to be "EV-Ready" per the EV-Ready Requirements given in this Section.

a) Scope

A minimum of ten percent (rounded up) but no less than one on-site parking space(s) falling within the use description given under Section 7.1.02c, c) of this Chapter must be designed and constructed to be EV-Ready.

b) Design and Construction Requirements

The following elements must be included in the project:

- i. A conduit system installed between the building electrical service panel to the EV-Ready parking spaces. The conduit system must be capable of supporting electrical wiring associated with the future installation of Electric Vehicle Charging Stations that will serve the EV-Ready parking spaces.
- ii. The project's electrical system must be designed to accommodate the future electrical loads and electrical equipment associated with providing a minimum Level-2 charge capability to the required number of spaces as determined from item 3), a) above.

## 7.1 SDS Sustainable Development Standards

### OHCS SDS Modules

- iii. The building's electrical panel must be sized to accommodate the future overcurrent devices needed for the EV-Ready system or space for an additional panel may be reserved to accommodate such devices.
- iv. Conduit, electrical panel slots, and floor/wall space reserved for future EV system components must be durably labeled: "For Future EV Charging Stations."

#### 4) **Certification**

SDS Module 3 Certification is achieved by following the 3-part certification process defined in Section 7.1.02 of this Chapter.

#### 7.1.04 **Self-Directed (SD) Sustainable Building Path**

*(As referenced in Section 7.1.03a of this Chapter. Applies to Rehabilitation Projects Only).*

The Self-Directed (SD) Sustainable Building Path is intended to allow the Project Owner and their third-party Sustainable Building Consultant to develop a project specific sustainable building approach that best fits the unique characteristics of their rehabilitation project. Rehabilitation Projects that have chosen to follow the SD Sustainable Building Path must comply with the following protocols:

##### 1) Energy and Water Use Assessment Required

An independent third-party Sustainable (Green) Building Consultant must be engaged by the Project Team and such party must conduct an Energy and Water Use Assessment of the subject project. The Sustainable Building Consultant and the Energy and Water Use Assessment must, at a minimum, meet the requirements given under Appendix B.1; Section B.1.11; a) of the Department's Project Development Manual (PDM). If a CNA has been performed that meets all of the requirements given under Appendix B.1 of the PDM, the Energy and Water Use Assessment part of the CNA addresses this part of the SD Sustainable Building Path.

##### 2) SD Sustainable Building Path Scope of Work Content and Format Requirements

When the SD Sustainable Building Path is selected, a written scope of work covering only to the Sustainable Building measures/upgrades that will be included in the project must be developed. At a minimum, the SD Sustainable Building Path Scope of Work must comply with all of the following:

- a) The Scope of Work must be authored by the SD Sustainable Building Path Consultant and must be submitted on the Consultant's letterhead.
- b) The Scope of Work should reflect a consensus between the Project Owner and the Sustainable Building Consultant regarding what Sustainable Building measures/upgrades make the best sense for the project.
- c) The Scope of Work must be formatted as an itemized and numbered list of proposed measures/upgrades. Additional information or a brief rationale for the listed items is encouraged where it may be useful to OHCS staff in understanding the proposed scope.
- d) The Scope of Work must include a section that briefly identifies any significant differences (both additions and omissions) between what is recommended in the Scope of Work and what is recommended in the Energy and Water Use Assessment part of the project's CNA per PDM Appendix B.1, Section B.1.11, a), item 5.

- 3) When and How to Submit the Sustainable Building Path Scope of Work to the Department  
Refer to guidance provided in Section 7.1.06 of this Chapter.

**7.1.05\_\_ ETO Alternate Approach to Meeting OHCS Solar-Ready Requirement**  
*(As referenced in Section 7.1.03b, 3), b) of this Chapter).*

When the ETO Alternate Approach is chosen to satisfy the OHCS Solar-Ready Requirement (Section 7.1.03b of this Chapter), item 3), a), Solar-Ready Feasibility Assessment and item 3), b), Detailed Solar-Ready Design as prescribed in Section 7.1.03b are not applicable as long as Feasibility Assessment and Solar-Ready Design tasks are completed as part of the ETO Solar or Solar-Ready Program. **The SDS Certification protocol per Section 7.1.02 of this Chapter is still required when the ETO Alternative Approach is taken.**

**Note:**  
The ETO’s Solar-Ready Incentive Program is not applicable to all regions of the State. Contact the Energy Trust of Oregon for more information on Solar and Solar-Ready incentive programs. At the time of this writing, ETO Solar and Solar-Ready program information can be obtained at the following web link:  
<https://www.energytrust.org/programs/solar/>

Required Document Submittals:

When the ETO Solar Incentive Program is chosen as an alternate Approach to satisfying the OHCS Solar-Ready Requirement, participants must submit the following to the Department:

1. Completed Solar Feasibility Study as prepared in accordance with an ETO Solar or Solar-Ready Program. The Feasibility Study must be issued to OHCS immediately upon completion of the study and should be completed as early as possible in the project’s design phase. Submit the completed Feasibility Study according to the document submission protocol given in Section 7.1.06 of this Chapter.
2. SDS Certification protocol per Section 7.1.02 of this Chapter.

**7.1.06\_\_ SDS Related Document Submittals to the Department**

SDS related document submittals must follow the protocols given in the table below.

SDS Document Submittal	When and How to Submit to the Department
SDS Certification	Refer to guidance given in Section 7.1.02 of this Chapter.
OHCS Self-Directed Sustainable Building Path Scope of Work	Submit with SDS Certification Part 1 (Form A-GC1). Refer to Section 7.1.02 of this Chapter for SDS Certification submittals.
Solar-Ready Feasibility Assessment (OHCS or ETO)	Submit the Feasibility Assessment to the Department immediately upon its completion. Submit via email to the OHCS Architect and to the OHCS Loan Officer assigned to the project.

**7.1.07\_\_ Quality Control & Compliance**

See PDM General Conditions, Chapter 1.5, Section 1.5.05 of this Manual.

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**Sustainable Development Standards (SDS)  
Certification : Part 1**

Official Use:

**Instructions:**

Complete and submit only Part 1 of this 3-part Certification **with** the Project Owner’s Application for OHCS Program Funding (Submit form A-GC1 only at the time of Application). Should the project be selected to receive a reservation of funding, parts A-GC2 and A-GC3 must be submitted later in the project timeline per the instructions given on each of those parts of the GC series Form.

**General Project Information**

Project Name	Official Use
Project Owner (Organization Name)	

**Acknowledgement and Declaration**

Read the Acknowledgement/Declaration below then sign and provide the other information requested. **SDS Certification Part 1 must be signed by the Project Owner or an Owner’s Representative.** The Owner’s or their Representative’s signature below certifies that the Owner is aware of the Department’s SDS requirements and agrees to comply with them on the subject project.

***The Project Owner and the Owner’s Project Team are aware of the Sustainable Development Standards (SDS) per Chapter 7.1 of the Department’s Project Development Manual (PDM). Should the subject project receive a reservation of funding from the Department it will be designed and constructed to comply with the Department’s Sustainable Development Standards.***

Acknowledgement and Declaration

Signature	Date
Project Owner or Representative Printed Name	Organization Name

SDS Certification Part 1 Continued on Next Page

# A-GC1 Form

**SDS Module 1 : Sustainable Building Path Selection**

The project will complete the Green Building Path indicated below. (Refer to PDM Chapter 7.1, Section 7.1.03a for guidance).

Check one of the following Boxes:

√	Selected Path	Path Notes
<input type="checkbox"/>	Enterprise Green Communities	New Construction or Rehabilitation All dwelling units must be below 60% AMI to qualify.
<input type="checkbox"/>	Earth Advantage Homes	New Construction Only
<input type="checkbox"/>	LEED for Homes	New Construction Only
<input type="checkbox"/>	OHCS Self-Directed (SD) Sustainable Building Path	Rehabilitation Only  <b>Selection of this Path requires that an <u>SD Sustainable Building Path Scope of Work</u> be submitted with this Form at the time of Application for funding. See PDM Chapter 7.1, Section 7.1.04 for guidance on the <u>SD Sustainable Building Path Scope of Work</u>.</b>
<input type="checkbox"/>	Alternate Path An alternate to the other paths listed in this table has been authorized by the Department in writing.	Attach a copy of written documentation of OHCS authorization.

**SDS Module 2 : Solar-Ready Requirement**

The project will meet the OHCS Solar-Ready Requirements in the manner indicated below.

Check one of the following Boxes:

√	Selected Approach	
<input type="checkbox"/>	OHCS SDS Module-2 Approach per PDM Chapter 7.1, Section 7.1.03b	
<input type="checkbox"/>	Energy Trust of Oregon Solar or Solar-Ready Incentive Program (An OHCS Approved Alternate Approach. Refer to PDM Chapter 7.1, Section 7.1.05.	
<input type="checkbox"/>	Other Alternate An alternate to the other approaches listed in this table has been authorized by the Department in writing.	If 'Other Alternate' is selected attach a copy of written documentation of OHCS authorization with submittal of this form.

**SDS Module 3 : EV-Ready Requirement**

The project will meet the OHCS Electric Vehicle Ready Requirements in the manner indicated below.

Check one of the following Boxes:

√	Selected Approach	
<input type="checkbox"/>	OHCS SDS Module-3 Approach per PDM Chapter 7.1, Section 7.1.03c	
<input type="checkbox"/>	Alternate Approach An alternate to the other approaches listed in this table has been authorized by the Department in writing.	If 'Alternate Approach' is selected, attach a copy of written documentation of OHCS authorization with submittal of this form.
<input type="checkbox"/>	<u>EV-Ready Exempt</u> : SDS Module 3 is not applicable due to the project not meeting the Applicability criteria given in PDM Chapter 7.1, Section 7.1.03c, 1).	

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**Sustainable Development Standards (SDS)  
Certification : Part 2**

Official Use:

**Instructions:**

Complete and submit only Form A-GC2 **with** PDM DPP Submittal-4 (See PDM Chapter 4, Section 4.1.02-4 for more information on DPP submittal-4). Form A-GC1 (part 1 of this 3-Part certification) should have been submitted previously; at the time a funding Application was made to the Department. Form A-GC3 (Part 3 of this certification) must be submitted with PDM DPP Submittal-7 (at Substantial Completion).

**General Project Information**

Project Name	Official Use
Project Owner (Organization Name)	

**Acknowledgement and Declaration**

Read the Acknowledgement/Declaration below then sign and provide the other information requested. **SDS Certification Part 2 must be signed by the Project Architect.** The Project Owner's or the Project Architect's signature below means that the signatory certifies that the Declaration is consistent with their knowledge of the project.

***Except as identified on page 2 of this Form, the completed Construction Documents associated with the subject project incorporate design provisions that meet or exceed the requirements of the Department's Sustainable Development Standards Modules (SDS Modules 1, 2, and 3) as defined in Chapter 7.1 of the PDM.***

Acknowledgement and Declaration

Project Architect's Signature	Date
Project Architect's Printed Name	Organization Name

SDS Certification Part 2 Continued on Next Page

# A-GC2 Form

**Changes to SDS Scope Since Submission of SDS Certification Part 1 (Form A-GC1)**

In the Space below or on a separate sheet of paper list any substantive changes to the SDS Scope since Form A-GC1 was submitted. Include substantive changes pertaining to any of the three SDS Modules. Provide a brief explanation for each item listed. Check all applicable boxes below:

<input type="checkbox"/>	No substantive scope changes have occurred since submission of Form A-GC1.
<input type="checkbox"/>	Information regarding changes to SDS scope have been included on separate sheets and are included with this Form.

**Exceptions to the signatory’s Acknowledgement/Declaration on Page 1 of this Form**

Check all boxes that apply in the table below.

√	Exceptions
<input type="checkbox"/>	<p><b>Solar-Ready Not Practical:</b> The Solar-Ready Feasibility Assessment has been completed for the subject project and the study has concluded that inclusion of Solar-Ready provisions are not practical for this project. Solar ready provisions have not been included as part of the project’s design.</p> <p>Include with the submission of this Form to the Department an excerpt from the Solar Consultant’s feasibility report with the pertinent “Solar-Ready provisions not practical” conclusion highlighted.</p>
<input type="checkbox"/>	<p><b>EV-Ready Exempt:</b> SDS Module 3 is not applicable due to the project not meeting the Applicability criteria given in PDM Chapter 7.1, Section 7.1.03c, 1).</p>
<input type="checkbox"/>	<p>Other Department approved SDS Exception. Identify in the space below and attach documentation with submission of this Form:</p>

# Sustainable Development Standards (SDS) Certification : Part 3

Official Use:

### Instructions:

Complete and submit only Form A-GC3 **with** PDM DPP Submittal-7 (See PDM Chapter 4, Section 4.3.02-1 for more information on DPP submittal-7). Forms A-GC1 and A-GC2 (Parts 1 and 2 of this 3-Part certification) should have been submitted to the Department previously. Submittal of Form A-GC3 completes the SDS certification process.

### General Project Information

Project Name	Official Use
Project Owner (Organization Name)	

### Acknowledgement and Declaration

Read the Acknowledgement/Declaration below then sign and provide the other information requested. **SDS Certification Part 3 must be signed by the Project Owner or the Project Architect.** The Project Owner's or the Project Architect's signature below means that the signatory certifies that the Declaration is consistent with their knowledge of the project.

<i><b>Except as identified previously in Form A-GC2, to the best of my knowledge, the subject project has been <u>constructed</u> such that it meets or exceeds the requirements of the Department's Sustainable Development Standards Modules (SDS Modules 1, 2, and 3) as defined in Chapter 7.1 of the PDM.</b></i>	
Acknowledgement and Declaration	
Signature	Date
Project Owner or Project Architect's Printed Name	Organization Name

SDS Certification Part 3 Continued on Next Page

V: 2017.12.01-Update 2018-R1

# A-GC3 Form

**Changes to SDS Scope Since Submission of SDS Certification Part 2 (Form A-GC2)**

In the Space below or on a separate sheet of paper list any substantive changes to the SDS Scope since Form A-GC2 was submitted. Include substantive changes pertaining to any of the three SDS Modules. Provide a brief explanation for each item listed. Check all applicable boxes below:

<input type="checkbox"/>	No substantive scope changes have occurred since submission of Form A-GC2.
<input type="checkbox"/>	Information regarding changes to SDS scope have been included on separate sheets and are included with this Form.

**Required Attachments**

The document types listed below must be submitted with this Form. Check all boxes that apply in the table below.

<input checked="" type="checkbox"/>	<b>Attachments</b>
<input type="checkbox"/>	Documentation from the 3 <sup>rd</sup> -Party Sustainable Building Path Organization and/or the Project owner's 3 <sup>rd</sup> -Party Sustainable Building Consultant demonstrating that the selected path has been successfully completed is attached herewith.
<input type="checkbox"/>	Documentation from the Energy Trust of Oregon that a Solar or Solar-Ready Incentive program has been successfully completed attached herewith.

Date

Project Name

Project Owner

Project Address

Project Architect

Architect's Firm

**Architect's Certification 1 of 2  
Substantial Completion**

Official Use:

- Approved
- Forwarded to OHCS Loan Officer

Date:

By:

**1** Verify all applicable regulatory bureau/agency approval requirements and provide the documents listed below. Sign and submit this form to the Owner and to the Department with Submittal-7 (See Chapter 4.3, Section 4.3.02-1 of the PDM for details regarding Submittal-7).

**2** Architect's Signature (Required)

X

No.	√	NA <sup>1</sup>	Required Task / Documentation	OHCS Comment
1.01	<input type="checkbox"/>	<input type="checkbox"/>	<u>C of O</u> A Certificate of Occupancy (C of O) has been issued by the local Building Department and a copy of the C of O is attached herewith.	
1.02	<input type="checkbox"/>	<input type="checkbox"/>	<u>City/County/State Inspection "Finals"</u> I have verified with the appropriate regulatory authorities that all building development related City/County/State inspection "finals" have occurred that may be needed either in addition to, or in lieu of a Certificate of Occupancy (C of O) from the local Building Department. I have listed any such inspection "finals/approvals" on page 2 of this form and attached the applicable final approval documentation for each entity with this form. (Example: Fire Marshal approval of fire suppression system, State elevator final approval, Mechanical and Electrical Trade inspection finals if not covered under C of O, Etc.) If none, then state "None" in the list on page 2.	
1.03	<input type="checkbox"/>	<input type="checkbox"/>	<u>Substantial Completion Certification</u> Completed Certificate of Substantial Completion [AIA Form G704] signed by the Architect, Contractor, and Owner.	
1.04	<input type="checkbox"/>	<input type="checkbox"/>	<u>Punchlist</u> Project Architect's Punchlist including all Architect Sub-Consultant Punchlists.	
1.05	<input type="checkbox"/>	<input type="checkbox"/>	<u>SDS Certification Part-3</u> (Completed Form A-GC3 and any associated attachments). See Chapter 7.1, Section 7.1.02 for information on SDS certification.	
1.06	<input type="checkbox"/>	<input type="checkbox"/>	<u>Radon Clearance Documentation</u>	

# (PDM) Project Development Manual

## A-AS Form

			Rehabilitation projects only and only when applicable per PDM Chapter 6.2, Item R05.04.	
1.07	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Section 504 : Architect Declaration</b>            All other project requirements notwithstanding, the Project Architect hereby declares that to the best of their knowledge the project has been constructed in compliance with the Accessibility requirements of Section 504 of the Rehabilitation Act of 1973.</p> <p><b>Note:</b>            This item applies only to projects subsidized with Federal funding.</p> <p><i>If this item does not apply to the subject project place a check mark in the "NA" box located in the orange shaded column directly to the left of this column.</i></p>	<p>...Form A-AS            Continued on Page 2 of 2</p>

**Footnotes:**

1. NA : Not Applicable. Check this box if the item requested does not apply to the subject project.

List all documents that have been submitted with this form below.

1	
2	
3	
4	
5	
6	
7	
8	

Check this box if additional sheets have been appended to this form.

## CNA Requirements

### B.1.01\_ Overview

When a Capital Needs Assessment (CNA) is required by the Department per Chapter 3.1 of this Manual, or as otherwise directed, the required CNA must, at a minimum, comply with the provisions of Appendix B.1.

### B.1.02\_ Purpose of the CNA & Department Expectations

Of the several important functions the CNA serves, one of its most critical functions is to provide an independent, neutral party assessment of the existing conditions of the site and its improvements from which a scope of work for the planned rehabilitation will be developed. Because the CNA plays a central role in rehabilitation projects, the Department expects a high level of CNA Provider neutrality and objectivity. CNA Provider neutrality and objectivity is essential to the development of efficient, value driven scopes of work and budgets in keeping with the public's and other project stakeholder expectations.

### B.1.03\_ Owner Identification & Coordination of Stakeholder Users of the CNA

Multiple project stakeholders will likely require access and use of the project's CNA making it critically important that all parties interested in the CNA be identified by the Owner prior to engaging a CNA Provider. Each interested party may have a number of unique requirements that will need to be satisfied by the CNA. Further, some interested parties may maintain an approved list of CNA Providers that determine whose services and work products they will accept. Currently, the Department does not maintain an Approved Provider List for CNA Providers and requires only that the requirements of this Appendix Section be complied with when CNA's are required by the Department.

### B.1.04\_ Importance of Early Project Owner/CNA Provider Contact & Engagement

Capital Needs Assessments are detailed, time intensive capital planning and risk assessment based analyses. The Project Owner is encouraged to make early contact with a qualified CNA Provider to determine appropriate timing and coordination of the needed CNA with the CNA Provider's projected work load. When planning for the CNA it is particularly important to consider potential lead-time impacts due to surges in CNA requests that often coincide with cyclical funding deadlines established by the Department and other entities that require CNA's in conjunction with their involvement in housing development and rehabilitation projects.

### B.1.05\_ Baseline Standard for Property Condition Assessment

The Department requires that the Property Condition Assessment (PCA) portion of the CNA be performed following ASTM E2018-15; Standard Guide for Property Condition Assessments protocols. The ASTM baseline Standard may be exceeded as long as the baseline Standard remains satisfied by the approach taken. This Appendix also contains PCA related requirements that are supplemental to those defined in ASTM E2018-15. Where an ASTM E2018-15 protocol is determined to be in conflict with the supplemental requirements of this Appendix, the more stringent requirement will have precedence.

### B.1.06\_ CNA Provider Qualifications

The CNA Provider must comply with the following Qualification Standards:

- a) The Primary Responsible Professional (Principal Provider) for the CNA must possess a State of Oregon Architect license, a State of Oregon Professional Engineer license, or State of Oregon Commercial Construction Contractor license.

## B.1 Appendix : CNA

### Capital Needs Assessment

- b) Principal Provider Experience: The Principal Provider must have a minimum of 3 years of previous experience in Capital/Physical Needs Assessment which includes work on at least two projects of similar or greater size, scope, and complexity as the subject project.
- c) CNA Provider Sub-Consultants: Specialized sub-consultants may be used to provide expertise on specific elements of the CNA. All CNA Provider sub-consultant contributors must possess the qualifications required by the specific disciplines or work scopes described in this Appendix or if not specifically defined, then at a minimum, they must have performed similar services on at least two prior projects of similar size, scope and complexity as those proposed for the subject project. CNA Contributors must have entered into a formal prime/sub-consultant contractual relationship with the Principal Provider for the proposed services.
- d) Resume: The CNA must include a resume or brief professional biography for each of the major individual contributors (Principal Contributors) to the CNA including the Principal Provider and any sub-consultants tasked with providing specialized CNA related services. For each Principal Contributor, their resume or professional bio must list a minimum of two prior projects that are similar or greater in size, scope, and complexity to the subject project and in which professional services similar to those being proposed were rendered. The resume or professional bio must also, at a minimum, identify the number of years that the individuals have been performing the services they propose and must identify any pertinent and current licenses they hold including the license number, license expiration date, and the name of the license issuing authority as applicable.
- e) Identity of Interest: The individuals providing CNA services, and their firms, must not have an identity of interest with the Project Owner, the Owner’s property, or any management entity for the property and further must not provide other services (services outside the scope of the CNA, e.g. architectural design, construction, etc.) on the same project. If any pending litigation or claims exist against any of the involved firms or individuals related to their professional service (either as the primary consultant or as sub-consultant), these must be disclosed in writing to the Project Owner and to OHCS prior to engagement of services.

#### B.1.07\_ Reserved

#### B.1.08\_ Accepted Period of Validity

The CNA must have been performed or “updated” no more than 12 months prior to submission of the CNA Report to the Department. See B.1.09 regarding CNA updates.

#### B.1.09\_ CNA Updates

- a) Updates to the CNA, when applicable per c) and d) below, must be performed by a CNA provider with the qualifications required by B.1.06 of this Appendix.
- b) When updated, the CNA must conspicuously identify that it is an update, it must clearly highlight any changes from the original Report and it must give the date of the update.
- c) CNA reports that are originally dated 24 months (730 days) or less prior to the date of the Department NOFA application deadline to which they apply may be a “desk-based” update provided that maintenance and repair records have been carefully maintained since the time the original assessment was performed. Sufficiency of the records to qualify the CNA for a desk-based update as opposed to a full site review based update will be determined by the Department.

- d) CNA's that are originally dated more than 24 months (730 days) prior to the date of the Department NOFA application deadline to which they apply must be updated based on a full site-based review of the property. In such cases, the degree of site review needed for the update will be determined by the Department with the CNA Provider's input. At a minimum, the site-based update must be of sufficient depth and detail to accurately reflect actual current conditions and current replacement reserve needs.

### **B.1.10 Element and Systems Descriptions and Conditions**

The CNA report must include a section dedicated to describing the basic characteristics and current condition of the site and building elements and systems. This section of the CNA report must be based on and/or include the following:

- a) Scope of Review: The CNA must be comprehensive in scope including, but not necessarily limited to, the assessment of the site, site amenities, building envelope, structural system, foundation, electrical/plumbing/HVAC systems, interior finishes and elements, elevators, egress components, fire protection systems, other elements and systems as applicable and appropriate to the unique physical characteristics of each project.
- b) Extent of Access and Observation: 100% of the building(s) including all interior and exterior spaces to be acquired and/or rehabilitated must be inspected and included in the CNA. If an area of the building(s) cannot be inspected at the time of the scheduled inspection, the CNA must include an explanation for why the areas were not investigated and a rationale given for any assumptions that may be made in the CNA Report regarding the condition of the uninspected areas. The Department may at its sole discretion require that the uninspected areas be inspected prior to accepting the CNA as being complete.
- c) Interviews: Individuals familiar with the site and buildings must be interviewed as part of the CNA. At least two (2) individuals must be interviewed who maintain one or more of the following roles or responsibilities related to the subject property:
- Owner
  - Property Manager
  - Maintenance Lead
  - Other (In possession of significant and pertinent knowledge of the property)

All interviews conducted must be documented in the CNA and must include the individual's name, their position/relationship to the property, and the general nature of the information discussed.

- d) Document Review: Documents fundamental to developing a sound understanding of the site and buildings must be requested and reviewed when available as part of the CNA. The ASTM Standard referenced in B.1.05 of this Appendix lists the documents that should be reviewed. Documents recommended for review as listed in the ASTM E2018-15 standard that are not available for review must be disclosed in the document review section of the CNA report.
- e) Pre-Survey Questionnaire: The CNA Provider's Pre-Survey Questionnaire must be completed by the Property Owner or their designated representative and the completed questionnaire must be included in the CNA Report.
- f) Total Expected Service Life: The CNA must include an estimate of the total expected service life of each of the building and site elements and systems identified.

## B.1 Appendix : CNA

### Capital Needs Assessment

- g) Remaining Useful Life: The CNA must include an estimate of the remaining useful life of each of the building and site elements and systems identified.
- h) Condition Rating System: The CNA must use an A to F rating system to grade the condition of the elements and systems identified.

#### B.1.11 Required Specific Areas of Inclusion

The following property condition related areas must be addressed by the CNA:

- a) **Energy and Water Use Assessment**: If the subject building(s) are 15 years or older in age (taken from the date of the architect's certificate of substantial completion) the CNA must include an Energy and Water Use Assessment as defined in this Section. The following minimum requirements apply:
  - 1. Energy and Water use Audits must be performed by an Energy Consultant possessing a minimum of three years of experience conducting Multi-Family housing energy audits and must have personally conducted energy audits on at least two (2) prior projects of equal or greater size and complexity as the subject property. A Resume per B.1.06, d, demonstrating that the Consultant meets Department experience requirements must be included in the CNA.
  - 2. The Assessment report must disclose any potential conflicts of interest of the Assessment provider or their firm with the project or any member of the Owner's Project Team.
  - 3. The Assessment must include interviews of the owner, property manager(s), and maintenance staff about their knowledge or awareness of energy and water efficiency related deficiencies and any indoor air quality issues. A written synopsis of any pertinent information gathered must be included in the Assessment report.
  - 4. Sampling Size for the Assessment: Twenty percent of the dwelling units with the total number of units assessed being divided proportionally among the unit types present. No fewer than three units will be assessed. 100% of the Common Areas will be assessed. All outdoor areas will be assessed where applicable to the scope of work. A summary of the portions of the buildings and site actually Assessed must be included in the Assessment report.
  - 5. At a minimum, the Assessment report must describe the general character and condition of the elements listed below relative to their impact on energy and water use efficiency. For each item listed include recommendations for corrective work or element/system upgrades or replacement as deemed appropriate. Where possible, provide a hierarchical rating of the proposed improvements in order of their magnitude of positive impact on energy/water efficiency or quality of life of the occupants.
    - i. Combustion Appliances.
    - ii. Indoor Air Quality and Ventilation Systems. Include cfm ratings for all kitchen and bathroom exhaust systems in units assessed. Test and describe functionality of clothes dryer venting in all assessed units and in common laundry areas.
    - iii. Building Envelope including but not limited to doors, windows, condition of weather resistive barrier (WRB) when visible, insulation type, condition, and R-values for wall, attic, and below floor insulation.
    - iv. Domestic Hot water System.

- v. Heating and Cooling Systems.
- vi. Lighting in all assessed dwelling units, all common areas, and all outdoor lighting.
- vii. Water Use Fixtures in all assessed units and all common areas.
- viii. Provide a general visual based assessment of the outdoor water use e.g. high/low summer-time irrigation demand, pools, fountains, etc. Generally describe the apparent efficiency/functionality of the irrigation system if present and when such generalized assessments can be made.
- ix. Appliances.
- x. Other Equipment as applicable to the subject property.

**Exception:**

A waiver of some or all of the Energy Audit requirement may be granted by the Department when the project constitutes a Change of Use as this term is defined by the Oregon Structural Specialty Code, and where the finished project will meet or exceed current Oregon Energy Code requirements for new construction as well as any OHCS required “green” building standards. In such cases, the project owner must submit a Variance Request (Form A-VR located in Appendix C of the PDM) justifying a waiver of the Energy and Water Use Audit. If approved, the Department approved A-VR must be included in CNA.

**Important Note Regarding Energy and Water Use Audits:**

Funding Programs such as the Department’s Multi-Family Energy Program (MEP) may have specific Energy Audit requirements that are additional to or may be different from the CNA requirements given in this Section of the PDM. Project’s receiving MEP funding must verify current Energy Audit requirements for the program to ensure program compliance is maintained. Should a conflict in the Department Energy Audit requirement for a given project occur the more restrictive of the conflicting requirements will control.

- b) **Wood Destroying Organisms:** The CNA must include investigation and reporting on Wood Destroying Organism (WDO) damage and/or activity. Wood Destroying Organisms include both fungi and insects that can degrade the integrity of organically based building materials.

**Exception:**

WDO Inspection and reporting may be waived at the Department’s discretion when the CNA Provider believes the WDO inspection to be unnecessary and when one or more of the following conditions apply:

- i. The building’s structural frame is comprised primarily of steel and/or concrete
- ii. The building does not have either a crawlspace or attic
- iii. The building will be undergoing a substantial (gut) rehabilitation

WDO waiver requests must use Form A-VR located in Appendix C of the PDM. The form must include a brief statement from the CNA Provider that they believe the WDO Inspection to be unnecessary for the subject project. If approved, the Department approved A-VR must be included in CNA.

**B.1 Appendix : CNA**

**Capital Needs Assessment**

1. Inspector Qualifications: The following minimum provider qualifications are required:
  - i. The inspector’s firm must maintain a current License as a Construction Contractor with the Oregon Construction Contractors Board.
  - ii. The inspector’s firm must be licensed by the Oregon Department of Agriculture as a Commercial Pesticide Operator in the category of IIHS-Structural and the individual inspector performing the inspection must be licensed as a Commercial Pesticide Applicator in the category of IIHS-Structural.
  - iii. Both the inspection firm and the individual performing the inspection must have a minimum of 3 years of previous experience in Multifamily WDO Assessment/Inspection and they must have completed inspections on at least two (2) prior projects of similar or greater size and complexity as the subject project.
  - iv. The State issued license numbers associated with the foregoing requirements must be clearly displayed on all proposals and reports issued to the Owner and/or the Department.
  
2. Scope of Inspection: The scope of the WDO inspection must focus on the following areas and conditions (when present) and must satisfy the following conditions:
  - i. Crawlspace, attic spaces, and any other spaces not considered to be habitable must be entered and fully explored to the extent it is physically possible and safe (per industry standard of care) to do so. Any part of such areas that are not accessible for visual inspection and probing must be identified and a reason provided for why an area was not inspected or was not accessible.
  - ii. Exterior envelope elements and areas prone to WDO activity.
  - iii. Visible structural members and structural connections.
  - iv. Conditions deemed unfavorable to the structures defense against WDO activity e.g. excess humidity, lack of ventilation, poor drainage, other observed design, construction, or deferred maintenance related factors that are considered by the inspector to be contributors to current or potential future WDO activity.
  
3. Report: Written portions of the WDO report must be typed.
  
- c) Accessibility: The CNA must provide a summary analysis of the property’s Accessibility which, at a minimum, addresses the following:
  1. A review and assessment of the property for Accessibility compliance and the development of a listing in the assessment of any deficiencies observed.
  2. Identification of areas and/or primary building components that have or appear to have received significant prior Accessibility updates and the approximate date that the updates occurred.
  3. Identification of any documented history (or the lack of any history) related to past or current Accessibility related complaints or concerns.

V : 2018.07.27 (EI)

4. Identification of any limitations of the Assessment.

d) **Environmental Hazards – General (Except for Radon):** The CNA must include any observed conditions and/or any related pertinent information gleaned from readily available documentation/reports related to Environmental Hazards including but not necessarily limited to:

1. Evidence of the existence of Lead Pipes and/or Lead-based Coatings.
2. Evidence of the existence of Asbestos.
3. Evidence of excessive levels of Mold or evidence of Mold conducive Conditions.
4. Evidence of Rodent Infestation.
5. Any other observed Environmental Hazard related issue e.g. presence of fuel tanks, fuel leaks, septic system malfunction, etc.
6. Provide a list of needed/recommended Environmental Hazard related upgrades in order of importance.

e) **Environmental Hazards - Radon:** The CNA must include the following with respect to Radon:

1. The CNA must summarize any observed conditions and/or any related pertinent information gleaned from readily available documentation/reports related to the potential presence of Radon at the site.
2. The CNA must include testing for radon when the site is located in a zone showing moderate to high levels of radon presence. The Department uses the Oregon Health Authority's (OHA) Online/Interactive Map of Radon Risk Levels in Oregon to determine moderate to high risk areas. At the time of this writing the map can be accessed at the following web link:

<http://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/HEALTHYNEIGHBORHOODS/RADON/GAS/Pages/zipcode.aspx>

The following standards related to radon testing must be met:

- i) **When Testing is Required:** Areas of the above referenced OHA map shaded in light yellow, yellow, pink, and red are considered to be moderate to high level areas; projects located in these areas must receive testing.

**Exception:**

Radon testing may be waived at the Department's discretion in cases where a Radon Professional (per item iv below) concludes that neither testing nor mitigation is necessary based on a physical inspection of the property, the characteristics of the buildings, and other valid justifications. An example of a valid justification is having only a garage on the surface level that is open to the air and is fully ventilated.<sup>1</sup> Waiver requests should use Form A-VR located in Appendix C of the PDM. The waiver request must include a written, signed statement/rational by the Radon Professional supporting the request. If approved, the Department approved A-VR must be included in CNA.

- ii) **Report:** The radon test must include the production of a report that summarizes the testing protocol undertaken, the results of the test, and, the details of any mitigation deemed by the Radon professional to be prudent or necessary.

## B.1 Appendix : CNA

### Capital Needs Assessment

- iii) Test Protocol<sup>2</sup>: Radon testing must follow the protocols set by the American Association of Radon Scientists and Technologists, Protocol for Conducting Radon and Radon Decay Product Measurements in Multifamily Buildings (ANSIAARST MAMF-2017 (or the most recent edition).
  - iv) Radon Professional<sup>3</sup>: All testing and mitigation must be performed under the supervision of a Radon Professional that is certified by either the American Association of Radon Scientists and Technologists (AARST) National Radon Proficiency Program (NRPP) or the National Radon Safety Board (NRSB).
- f) **Natural Hazards – General (Except for Seismic Risk):** The CNA must include any observed Natural Hazards related conditions as follows:
- 1. Evidence of previous and/or risk of future impacts of flooding, landslide, high wind, wildfire or other Natural Hazard based on readily observable conditions and/or available documents/reports.
  - 2. Provide a list of needed/recommended Natural Hazard related upgrades in order of importance.
- g) **Natural Hazards – Seismic Risk:** The CNA must include a narrative risk assessment or mitigation strategy that, at a minimum, includes the following elements:
- 1. A list of identified seismic risks including structural deficiencies based on the structure’s age and construction type.
  - 2. Any code required upgrades e.g. those that may be driven by a ‘Change of Occupancy’ or other drivers.
  - 3. A List of suggested upgrades in order of priority with an estimate of associated costs to remedy.
- h) **Recommendation for Additional Professional Assessment:** The CNA must identify where the CNA Provider feels more specialized professional assessment is needed or recommended particularly with respect to items d) through g) of this Section.

#### B.1.12 Opinion of Costs to Remedy Physical Deficiencies

The CNA must provide a list of needs broken into the two needs categories given below and provide a proposed remedy and estimated cost to address the deficiencies listed.

- a) Critical Needs: The CNA must identify all observed conditions which can be considered an imminent threat to occupant health and safety. If serious health and safety issues are identified in currently occupied buildings, the Department may require that all such issues be temporarily or permanently addressed to the Department’s satisfaction prior to offering any conditional award of Program funding.
- b) 2-Year Physical Needs: The CNA must identify all physical needs requiring attention within a 24 month period from the date of the CNA Report.

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Footnotes:

1 through 3: Copied or adapted from HUD’s Office of Multifamily Development Radon Policy.

**B.1.13 Projected Post-Rehabilitation Capital Needs (Analysis of Reserves for Replacement)**

(Also referred to in this Manual as a “Capital Plan”)

The CNA must include a thorough analysis of reserves for replacement, including an estimate of the initial and ongoing monthly deposit into the Replacement Reserve needed to support the Capital Needs of the project for a period of 30 years.

**Important Note:**

The Projected Post-Rehabilitation **Capital Needs** analysis must not include the cost of any pre-rehabilitation critical repair items nor any pre-rehabilitation 2-Year physical needs as both of these types of needs must be fully addressed either prior to or within the Rehabilitation scope of work. Additionally, the Post-Rehabilitation Capital Needs analysis must not include post-rehabilitation work that falls into one of the three operations related areas listed below. Costs associated with the three operations related areas listed below must be addressed using project operating funds taken from the completed projects operating budget - not from funds reserved for Post-Rehabilitation Capital Needs.

- 1) Maintenance
- 2) Repair
- 3) Unit Turnover

**B.1.14 Photographic Record**

The CNA must include photographs of sufficient detail and extent to adequately record the character and condition of the property.

**B.1.15 OHCS Specific Requirements**

- a) CNA Scope of Services and Fee Proposal to Project Owner  
The CNA must include the Scope of Service proposal to the Project Owner including the Fee being charged to the Owner by the CNA Provider. Additionally, the fee must show line-item figures for any specialized sub-consultant contributor’s e.g.: Wood Destroying Organism Assessment, Energy and Water Use Audit, etc. The Department uses this data to stay apprised of industry cost expectations for these services.
- b) Review of Associated Sections of the Department’s PDM  
In conjunction with their review of this Appendix (B.1), the CNA Provider must also review Appendix B.2, Target Expectations for Rehabilitation, and Appendix B.3, Uniform Physical Condition Standards of the Department’s Project Development Manual (PDM). The CNA must be developed (as deemed appropriate to the CNA by the CNA Provider) to reflect the basic rehabilitation scope expectations defined by these sections of Appendix B.
- c) Acknowledgement of Compliance with CNA Requirements:  
The CNA must include a statement by the Principal Provider **within the executive summary** that indicates that the completed CNA complies with all of the requirements of Appendix B.1 of the PDM. The acknowledgement must include the **version number** of the PDM being referenced. If an aspect of the Department CNA requirements cannot be fully complied with, the required acknowledgement

## B.1 Appendix : CNA

### Capital Needs Assessment

must identify what requirements have not been fully addressed and must include a detailed rationale for the omission or deviation. Omissions of, or material deviations in the requirements of Appendix B.1 must be approved by the Department in writing for the CNA to be considered complete. Timing of such requests should be made well in advance of program funding application deadlines so that there is adequate time for the CNA to be revised by the applicant's CNA Provider if deemed necessary by the Department.

#### **B.1.16** Small Project CNA Alternative : Small Project PCA

Projects consisting of four (4) or fewer contiguous dwelling units (Small Projects) may elect to have a Property Condition Assessment (PCA) performed under the requirements of this Section as follows:

- a) The PCA, the inspector, and the inspector's report must address all of the same conditions stipulated for CNAs as defined by this Appendix B.1 with the following modifications:

1. Section B.1.06; a) is modified to include the following:

- i) The Owner's Project Architect (Architect who will be providing design services on the subject project).
- ii) An individual in possession of a current Oregon Home Inspector's license.

2. Exceptions to the CNA Requirements

The following Sections do not apply to the Small Project PCAs:

Section B.1.10; c), d), e)  
Section B.1.11; a)  
Section B.1.13

- b) It is suggested that the narrative section of the Inspector's report be developed such that it follows the same sequence as that given in this Appendix. The inspector is expected to address each required item only to the extent it can be reasonably done with visual inspection of the property. In some cases, the ability to address one or more of the requirements of this Section will be very limited or may not be possible. Where a required item is deemed by the Inspector to be unachievable or outside the reasonable scope of the inspection, the Inspector may address the requirement by stating in their report the rationale for why the requirement could not be addressed. The overarching goal of the Small Project PCA is to acquire and convey as much critical Rehabilitation scope defining information as possible within a limited investigatory process. As long as the spirit of this goal is reflected in the Inspector's work product, the Department will allow the Inspector wide latitude in how closely the inspection scope and report meets the requirements of this Section. The Department may require additional investigation based on the content of the submitted Small project PCA. The Department will reject work products it deems to have not meet the spirit and intent of this Section.

#### **B.1.17** Partial Exemptions from CNA Requirements

The Department may grant a partial exemption from the CNA requirements for projects that meet the definition of a Substantial (Gut) Rehabilitation where the hard cost to rehabilitate is 75% or greater than the hard cost to reconstruct completely.

Form A-VR located in Appendix C of the PDM must be submitted to the Department at the earliest possible date if a variance from the CNA Requirements is deemed appropriate or necessary by the Project Owner. The following documentation must accompany the Variance Request:

- a) A brief written description of the project.
- b) A rehab vs complete-rebuild cost analysis deemed acceptable to the Department supporting the contention that the project meets the definition of a Substantial Rehabilitation.
- c) A proposal following the numbered format of the CNA requirements that indicates which major elements of the requirements (major headings referenced by PDM item number) will be provided in the proposed reduced-scope CNA and which ones are proposed to be excluded. A brief rational must be provided for each item that is proposed to be excluded.

When completed reduced-scope CNAs are submitted to the Department, they must include the Department approved form A-VR and the documentation listed in items a) through c) above to be considered complete.

**B.1** Appendix : CNA

**Capital Needs Assessment**

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## Construction Cost Estimate Requirements

When a Construction Cost Estimate is required by the Department it must meet the following criteria:

### 1. Cost Estimator Qualifications:

- a) Each key individual participating in the estimating services (estimator) must have at least four (4) years of experience providing commercial and/or multi-family residential construction estimates.
- b) The estimator must have demonstrable familiarity with the current construction cost environment in the State of Oregon.
- c) Identity of Interest: The individuals providing Cost Estimating services, and their firms, must not have an identity of interest with the Project Owner, the Owner's property, or any management entity for the property and further must not provide other services (services outside the scope of Cost Estimate service, e.g. architectural design, construction, etc.) on the same project. If any pending litigation or claims exist against any of the involved firms or individuals related to their professional service (either as the primary consultant or as sub-consultant), these must be disclosed in writing to the Project Owner and to OHCS prior to engagement of services.

### 2. Cost Estimate Format and Content Requirements:

- a) **Estimate Age:** The estimate must have been completed or updated by the cost estimator within 45 days of submission to the Department.
- b) **Standard to be Followed:** The estimate must follow standard industry practices for level of completeness, detail, and content. CSI Masterformat or Uniformat II structure for the estimate may be used.
- c) **Statement of Estimate Conformity with Department Requirements:** The estimate must contain a statement in the estimate introduction that specifically states that the estimate conforms to the requirements of PDM Chapter 3.2 Section 3.2.02-N02.
- d) **Professional Profile:** The estimate must include a Profile section that, at a minimum, includes the following information:
  - i. Description of the estimator's firm including size, primary clientele, and services offered.
  - ii. A brief resume/professional bio that includes all professional licenses/certificates held by key personnel and each individual's number of years of construction cost estimating experience.
  - iii. References: Provide a list of at least three prior construction estimating jobs similar in size and complexity to the project that current services are being requested/provided for. Include the names of the individuals for whom the estimates were conducted, the name of their organization, and a contact phone number for each reference.
- e) **Estimate Scope and Documents Relied Upon:** The estimate must contain a statement of the estimate's scope of work which includes a description of the design documents and any other project related documentation that was used to formulate the estimate. Description of the design documents used must include the estimator's assessment of the estimated level of completeness of the documents given in a percent complete figure and must include the date of the subject documents.
- f) **Cost Data References:** The estimate must indicate what cost data references were used and how costs were derived.
- g) **Estimate Accuracy:** The estimate must identify any limitations to the estimate's accuracy including any undefined 'knowns' and any cost escalation risks that the estimator may be aware of based on the documentation provided to them and on their experience with similar projects.
- h) **Site Costs:** Provide a section of the estimate dedicated to site costs with a site related sub-total.
- i) **Other Itemized Costs:** Provide itemized cost figures for the following:
  - i. General Conditions
  - ii. General Overhead

## P.1 Appendix : Other Document Guidelines

### Construction Cost Estimate Requirements

- iii. Profit
- iv. Construction Contingency
- j) **Escalation:** The estimate must include an escalation figure showing projected cost at the projected construction start date. The projected construction cost date must be indicated in the estimate.
- k) **Estimate Contingency:** The estimate must include an Estimate Contingency section that, as a whole, describes how well the project has been defined at the time the estimate is made (this is not intended to be a Construction Contingency (set-aside for unforeseen costs once construction commences)). The estimate contingency section must, at a minimum, include the following general components:
  - i. Generally list and/or describe any aspects of the project where there is high probability that a project cost exists but the source or driver of that cost has not yet been defined in the design documents.
  - ii. Provide an Estimate Contingency in the form of a percent figure. This percentage is intended to capture project costs that will occur or are likely to occur based on item [ i ] above.
  - iii. Provide an assessment of the Cost Estimate's Accuracy in terms of a percentage figure (this is different from the percentage figure provided under item [ii] above. This percentage figure represents how far the final construction cost may vary from the subject cost estimate.

End Construction Cost Estimate Requirements.