



# The City of Calgary RHI 3 Funding Evaluation Process

## Terms of Reference

### 1. Background

The Rapid Housing Initiative (“RHI”) is a federal capital investment program, part of the National Housing Strategy, that is administered by Canada Mortgage and Housing Corporation (“CMHC”). Round one of funding was announced in 2020 October with an initial \$1 billion investment. Round two of funding was announced in 2021 June through a \$1.5 billion investment.

RHI funding was provided directly from the federal government to Canadian municipalities, including Calgary, through the Cities Stream. Proponents were also eligible to apply directly to CMHC for funding through the Projects Stream where applications are competitively evaluated on a point score system for applications across Canada. A major part of the criteria for securing these projects was the inclusion of investment from other funding sources such as other orders of government or proponent equity. Funding provided to The City of Calgary (“The City”) from CMHC for rounds 1 and 2 of RHI has been allocated to successful projects.

The federal government announced a third round of RHI on November 10, 2022, with an additional \$1.5 billion allocated over the next two years. Housing Solutions through the Affordable Housing Partnerships team is leading the development of a comprehensive City application process and evaluation approach to this third round. The evaluation process includes an Advisory Risk Review Panel to evaluate all projects to be submitted to The City, via Housing Solutions, with the potential for successful applicants to receive funding from the RHI federal program through the Cities Stream and the opportunity to receive The City’s support for their project under the Cities and Project Stream.

### 2. Purpose

These Terms of Reference establish the process, expectations, commitments, and role of The City in the evaluation and risk review of all applications for The City of Calgary RHI 3 Funding. This process is a crucial step in awarding funding dollars and in supporting the arrangements The City will enter into with a provider, which will include but not limited to requirements for a provider to operate a project as affordable housing for a minimum 20-year operating period after such project has been successfully completed and occupied.

### 3. Application Process, Review and Approval

Applicants will submit their proposed projects to The City in accordance with the Application Intake Process and may identify if they have a preference of RHI Stream, and thus type of potential City support they are requesting. Regardless of the RHI Stream, all applications will be subject to the same City process, including screening, review, scoring, and ranking, in order for The City to determine which projects will be recommended for Cities and Projects Stream support.

Upon submission, The City will pre-screen applications to ensure minimum eligibility criteria is met prior to application risk review, pass/fail process, and subsequent scoring. Applications will be reviewed and scored by an Advisory Risk Review Panel comprised of Subject Matter Experts within The City.

Decisions made pursuant to The City of Calgary RHI 3 Investment Plan shall be in the sole and exclusive discretion of the Advisory Risk Review Panel. The decisions by the Advisory Risk Review Panel will form the recommendations to Council. Council approval of The City of Calgary RHI 3 Investment Plan is required.

The timing required for the submission and assessment process is anticipated to take approximately two-and-a-half-months. One month for applications to be submitted and another one-and-a-half-month for the review and decision, including Council approval, and submission of applications to CMHC.

#### 3.1 Minimum Eligibility Criteria

- Must meet [CMHC's defined RHI eligibility](#).
- Must have appropriate governance and be in good financial standing.

- Must demonstrate experience, alignment with City priorities, and project readiness.

### 3.2 Launch Date

- City process to open December 6, 2022, and to close at 5 pm on January 6, 2023.
- CMHC application window is open December 12, 2022 and closes March 15, 2023.

### 3.3 Application Intake Process

- Intake Application Form from The [City's RHI website](#) to be downloaded, completed and all required documentation to be submitted by no later than 5pm January 6, 2023.

### 3.4 Evaluation

#### Step 1: Pre-Screening and Initial Review

- Applications will be reviewed to ensure minimum eligibility criteria is met.

#### Step 2: Risk Review

- Advisory Risk Review Panel of Subject Matter Experts reviews all applications to assess RHI eligibility, readiness of the project, experience of the applicant, organizational governance and financial health, and risk of proposed project and non-profit organization to The City.
- This step is a pass/fail.

#### Step 3: Scoring

- The Advisory Risk Review Panel will score and rank eligible projects that passed the risk review evaluation.
- Projects will be scored and ranked using a combination of criteria from CMHC and City of Calgary priorities. Refer to the City's website for additional information on the scoring and priorities.

### 3.5 The City of Calgary RHI 3 Investment Plan Approval & Communication

- Upon completion of the evaluation process all applicants will be notified with the status of their application.
- Housing Solutions will subsequently prepare The City of Calgary RHI 3 Investment Plan and seek Council approval thereof. This will include a recommendation on the list of projects that will be submitted to CMHC by The City for the Cities Stream funding allocation, as well as a list of projects that Administration recommends supporting with City capital funds for both the Cities and Projects Streams.
- If Council approval is granted, additional communication to all applicants whose projects have been included on the investment plan will occur.
- Application decisions made pursuant to The City of Calgary RHI 3 Investment Plan do not constitute: (1) the final approval of RHI project funding, which is at the sole discretion of CMHC, (2) the approval of receipt of City capital support, which must be granted by City Council, or (3) the granting by the municipality of The City of Calgary, acting as an approving authority, of any approval or permit as may be required pursuant to the *Municipal Government Act* (Alberta) or any other legislation in force in the Province of Alberta, including approvals of subdivision and permit applications and any land use redesignation applications.

## 4. Confidentiality

For the purposes of this section, "Confidential Information" means information considered proprietary to an applicant and disclosed to The City pursuant to The City of Calgary RHI 3 Funding, and includes all material, data and information (regardless of form and whether or not the same is protected by copyright, patent, or other applicable law) which is marked as "confidential" and is not available to the public. "Confidential Information" does not include any information that: (i) is now in or subsequently enters the public domain through means other than by disclosure by The City; (ii) is already in the possession of The City or is lawfully communicated to The City, free of any confidentiality obligation; (iii) The City has received the applicant's prior written approval to disclose; or (iv) The City is required to disclose pursuant to the *Municipal Government Act* (Alberta), the *Freedom of Information and Protection of Privacy Act* ("FOIP Act"), or any subsequent legislation of similar effect, or (v) The City is required to disclose pursuant to any law or order of a Court having jurisdiction over the matter.

Applications may include the Confidential Information of the applicants. Confidential Information may be used by The City for purposes in connection with The City of Calgary RHI 3 Funding which may include sharing Confidential Information with the councillors, employees, agents, and professional advisers of The City. The City shall make all reasonable efforts to maintain in confidence the Confidential Information. Without limiting the generality of the foregoing, The City will make reasonable efforts to

keep, file and store all Confidential Information, together with any notes or other material incorporating or relating to the Confidential information, in a manner consistent with the FOIP Act, as well as in a manner consistent with its confidential nature and to take all reasonable action, whether by instruction, agreement or otherwise, to ensure that its employees do not disclose or use the Confidential Information directly or indirectly, for any purpose other than the purposes for which it was provided. Notwithstanding the foregoing, The City may disclose the Confidential Information to any of the following: Government of Alberta, Government of Canada, CMHC, the affiliates, employees, agents, and professional advisers of the aforementioned entities, who require access to such information in connection with The City of Calgary RHI 3 Funding.

Notwithstanding the foregoing, The City may be required to disclose Confidential Information pursuant to its disclosure obligations as contained in, and in accordance with, the FOIP Act, including requests to access information made pursuant to the FOIP Act.