

REQUEST FOR PROPOSALS

Award of Project-Based Vouchers to Developers and Owners

Issued: September 1, 2021

**Submission Due Date:
Ongoing**

THE OFFEROR BEARS SOLE AND STRICT RESPONSIBILITY FOR SUBMITTING A RESPONSE TO THIS RFP AT THE OFFICES OF THE HOUSING AUTHORITY OF THE CITY OF FREDERICK (HACF) ON OR BEFORE THE STATED TIME AND DATE. HACF IS NOT RESPONSIBLE FOR DELAYS CAUSED BY THE UNITED STATES MAIL DELIVERY OR CAUSED BY ANY OTHER OCCURRENCE. EXCEPT FOR ELECTRONIC QUESTIONS SEEKING CLARIFICATION OF THIS RFP. HACF WILL NOT ACCEPT FAXED OR EMAILED SUBMISSIONS.

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REQUEST FOR PROPOSALS

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PART I – INTRODUCTION

Background

Through this Request for Proposals (“RFP”), the Housing Authority of the City of Frederick (“HACF”) is seeking to award up to forty (40) Project-Based Vouchers (“PBVs”) in order to promote affordable housing preservation opportunities for elderly, disabled and families for low-income affordable housing developments in the City of Frederick and in Frederick County. Please note this RFP is only for the purpose of awarding PBVs.

PBVs are federal subsidies under Section 8 of the United States Housing Act of 1937 that are tied to a specific apartment or apartment project rather than the more common mobile vouchers that are issued directly to individual households. The U.S. Department of Housing and Urban Development (“HUD”) permits public housing authorities (“PHAs”) to “project base” up to 20% of its overall voucher portfolio.

Information regarding HACF’s Housing Services program is available at HACF’s website hacfrederick.org. HACF’s Housing Choice Voucher Administrative Plan is attached here as Attachment 3. The federal PBV program regulations are found at 24 CFR 983 and can be accessed at the United States Department of Housing and Urban Development (HUD) website (<http://www.hud.gov/offices/pih/programs/ph/phari/geninfo/24cfr983.pdf>), which are amended by various PIH Notices including PIH 2017-21 (the HOTMA Notice) (collectively 24 CFR 983, the HOTMA Notices, and other PIH notices affecting project-based vouchers are the “PBV Requirements”).

The successful proposers to this RFP will receive an award letter from HACF conditioned upon compliance with PBV Requirements and HUD approvals. Subsequently, the successful proposer and HACF will enter into a Housing Assistance Payments (HAP) Contract with an initial term of at least fifteen years. Notwithstanding the preceding language, the initial term and any possible renewals thereto shall be subject to receipt of required HUD pre-approvals and funding availability as determined by HUD or by HACF in accordance with HUD requirements, of sufficient appropriated funds and budget authority, as provided in appropriations acts and in HACF’s annual contributions contract (“ACC”) with HUD to make housing assistance payments in accordance with the HAP Contract.

Relevant HUD Forms

AHAP and HAP Contracts for New Construction and Rehabilitation

1. HUD-52531-A: PBV Agreement to Enter Into Housing Assistance Payments Contract for New Construction or Rehabilitation Part 1
2. HUD-52531-B: PBV Agreement to Enter Into Housing Assistance Payments Contract for New Construction or Rehabilitation Part 2

HUD-52530-A

1. PBV Housing Assistance Payments Contract for New Construction or Rehabilitation Part 1
2. PBV Housing Assistance Payments Contract for New Construction or Rehabilitation Part 2

PBV Tenancy Addendum

1. HUD-52530-C: PBV Tenancy Addendum

2. HUD-52578-B: PBV Statement of Family Responsibility

Disclosure

Pursuant to the PBV Requirements, a PHA may apply for designation of PBVs for PHA-owned units. The regulations require the PHA to offer the PBVs via a public and competitive solicitation, to which the PHA itself may respond. HACF may participate in responses in a joint venture with third parties, in which case, HACF will obtain any additional approvals required by HUD.

Submission Instructions

Proposers responding to this RFP are required to submit their proposal in a tabbed electronic format with a signature. This submission should be in Adobe PDF format, although Microsoft Office file formats (Word, Excel, Power Point, etc.) are also acceptable.

Proposers shall submit their proposals to:

Angie Liddiard, Director of Economic Development
Housing Authority of the City of Frederick
Tel: (240) 578-4012
aliddiard@hacfrederick.org

Proposals must comply with the requirements of the RFP as set forth herein.

PART II – PROGRAM OBJECTIVES AND SCOPE OF WORK

HACF Program Objectives:

HACF invites property owners/developers to submit a written proposal demonstrating their project eligibility, qualifications, and interest in securing Project-Based Vouchers (PBV). PBV assistance provides rental subsidies paid on behalf of eligible families who live in units that are contracted under the program. Qualifying properties should (1) be located in HACF's jurisdiction of Frederick County, including the City of Frederick and (2) that have submitted or intend to submit applications through the state of MD low-income housing tax credit program or other program funding new construction or rehabilitation of the project. In all cases, the selected property and/or housing provider must meet all applicable Housing and Urban Development (HUD) requirement for project-based vouchers found at 24 CFR 983. A copy of these regulations is available via the following website at www.ecfr.gov. Projects may request up to a fifteen (15) year or a twenty (20) year Housing Assistance Payments (HAP) PBV Contract for the initial term with HACF. Up to forty (40) vouchers are available through this RFP process.

HACF is actively diversifying its activities beyond owning public housing and administering vouchers. As part of this, HACF will give points to projects that provide HACF with an ownership role, contracts for maintenance, participation in cash flow, provision of social services, or other meaningful participation in the project.

As a threshold matter, proposed Projects must

1. Not be for existing housing projects unless the project is undergoing significant rehabilitation in connection with the award if PBV.
2. Demonstrate compliance (or probable compliance) with HUD site and neighborhood standards located in 24 CFR Part 983 through the Application.
3. Compliance and familiarity with Section 504 regulations concerning design, construction, or alteration of buildings and facilities in conformance with UFAS accessibility requirements as well as title II and III of the ADA standards and the Fair Housing Act.
4. Not propose application of HAP assistance to ineligible units.

Scope of Work:

Each proposer must demonstrate that its proposal is an optimal use of PBVs in accordance with the Program Objectives stated above through the project application, supporting documents, and through by meeting the Proposal Requirements in Part III below.

PART III – PROPOSAL REQUIREMENTS

The following provides information on the requirements, order, and format for responses to ensure that the proposals are complete, include essential information, and can be fairly evaluated. Proposers are requested to be specific and concise and to avoid duplicative materials and redundancies in the proposal. HACF has not set a page limit for proposals, but it prefers efficiently worded, substantive answers rather than lengthy responses containing more general boilerplate language and materials. Team members can be looked at collectively to meet the criteria.

Prepare your proposal in the following order:

TAB 1: Cover Letter

The cover letter must list the Proposer team members and identify the primary contact person. Please include telephone number and e-mail address. The cover letter must be signed by an authorized principal of the Proposer organization and include a statement that the proposal will remain valid for not less than 180 days from the due date of the proposals.

TAB 2: Proposal Application

This proposal application attached as Exhibit 1 must be completed with information consistent with your proposal request.

TAB 3: Proposer Team Description:

List general information on the Proposer and the team including the following:

1. Primary contact person, title, telephone numbers, and e-mail address;
2. Name of Proposer, main address, telephone numbers, and e-mail address;
3. Address, telephone numbers of office from which services will be provided, if different from above;
4. Description of Proposer firm size, number of employees, and number of properties under management and number of development projects in progress, if any;
5. Identify the individual who will serve as the Project Manager for the Proposer and who will direct and coordinate the project through completion. Describe the Project Manager's prior and current experience with projects of similar anticipated scope and size, with particular emphasis directing a multi-disciplinary team and facilitating a community involvement process;
6. List the remaining members of the Proposer team. These entities should include, where applicable, architect, lawyer, property manager, service provider and any other firms and professionals who will be part of the Proposer team.
7. Provide an organization chart. All entities that comprise the team must be identified, indicating their specialization(s), relevant experience, and specific contribution to the team consistent with project objectives as stated above.
8. In the event that any of the named Proposer leaves Proposer, the Proposer shall be required to replace such personnel with personnel of comparable experience and expertise and to assign such new personnel to provide services under the Contract, subject to HACF review and approval.

TAB 4: Profile of Proposer:

1. Provide a statement indicating how the Proposer will honor all financial auditing requirements and guarantees in keeping with the stated Project Requirements and PBV Requirements. The statement should include more than a reference to the financial statements and include a detail operating pro forma for the proposed site reflecting anticipated rents, occupancy rates, and anticipated excess cash flow.

2. Proposer shall include a true and exact copy of its most recent audited financial statements.

3. Proposer shall include references for the Proposer referencing specific project experience from the following:

- a. Construction and permanent lenders
- b. Public sector financing partners (HFA, PHA)
- c. General contractors on a comparable development (Davis-Bacon compliance)
- d. Management Agent in PBV project.

4. State whether the Proposer or any member of proposer's team: (1) has ever owned property upon which Frederick County foreclosed due to failure to pay real estate taxes or a loan secured by a mortgage to Frederick County; (2) currently owes HACF any monies for incurred fees, rents or other indebtedness; (3) has ever been convicted of an arson-related crime or is currently under indictment for any such crime; (4) has been convicted in a court of competent jurisdiction arising from a criminal proceeding within three (3) years of the date of the first public advertisement of the within RFP wherein said conviction was for violating any law, code, or ordinance regarding conditions of human habitation, fair housing or housing discrimination, or tenant harassment, or is currently under indictment for any such violations; and (5) has a lack of creditworthiness, including foreclosures, bankruptcies, current defaults of more than 60 days, mortgage assignments, adjudications, or matters that jeopardize Proposer's ability to secure financing.

TAB 5: Profiles of Proposer Team Members:

Describe the experience of the property management firm in managing affordable housing developments and developments involving PBVs, in the following areas and, if available, sample project policies regarding:

- 1. Property maintenance;
- 2. Rent collection;
- 3. HUD reporting;
- 4. Tenant grievances;
- 5. Wait list administration;
- 6. Evictions;
- 7. Occupancy rate;
- 8. Unit turnaround;
- 9. Preventive maintenance;
- 10. Work order completion;
- 11. Project-based budgeting;
- 12. Energy audits;
- 13. Utility/Energy Incentives
- 14. Davis Bacon

Describe the experience of the architect, general contractor, or management agent.

Provide three references for the proposer team. In providing references, please provide name, title, organization name telephone numbers, and e-mail addresses. Please reference the name of the project with which the reference is familiar. Please ensure that all names and numbers are current.

TAB 6: Project Plan

1. **Development Plan.** HACF is only interested in receiving proposals that comply with the previously stated Project Requirements in Part II of this RFP and further the Program Objectives. The proposer must specifically address in its plan how its proposal will meet all of the above referenced Project Requirements and further the Program Objectives, including but not limited to bedroom mix, contract rents, management approach, financing plan and legal and ownership structure of proposed owner.

2. **Design.** A high scoring proposal will demonstrate that the project incorporates good design, especially utilizing “green,” environmentally sustainable building principles and solar energy. Good design also incorporates site, unit and common area features and amenities that are responsive to the needs of the resident population. In evaluating this rating factor, HACF will consider information presented in the proposal including:

- a. The extent to which the project design incorporates “best practices” for the resident population. For example, projects that house chronically homeless must incorporate a range of design considerations related to safety, durability, the need to encourage socialization, the need for on-site services.
- b. LEED or other similar designations that provide evidence of environmentally sustainable design.
- c. Other energy efficiency features and improvements.
- d. Treatment of common areas and building grounds.
- e. Availability of other on-site amenities

3. **Management Plan.** As evidenced by the degree to which specific details are provided regarding how the management team shall meet the requirements of HUD PBV HAP contract administration, with particular emphasis on regulatory compliance, including but not limited to, marketing and outreach strategies, waiting list administration, tenant screening, rent collection and unit maintenance and turnover.

4. **Resident Services Plan.** As evidenced by the degree to which the relevant factors are precisely identified and the underlying reasoning is articulated, includes a relatively more thoughtful discussion related to the opportunities and challenges in creating a meaningful resident service plan that addresses the social, financial, and medical needs of the residents with the goal of the plan to assist the residents with establishing and/ or maintaining independent living. In addition, the plan contains a description of the quantitative methodology to be employed so as to measure the effectiveness of the services to be provided. In the alternative, Proposers may engage with HACF as a service provider if Proposer demonstrates sufficient funding for HACF’s social services program during the term of the HAP Contract.

Agency Reservation of Rights. HACF reserves the right to:

1. *Right to Reject, Waive, or Terminate the RFP.* Reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, if deemed by the Agency to be in its best interests.
2. *Right to Not Award.* Not award a contract pursuant to this RFP.

3. *Right to Terminate.* Terminate a contract awarded pursuant to this RFP, at any time for its convenience upon 10 days written notice to the Contractor(s).

4. *Right to Determine Time and Location.* Determine the days, hours, and locations that the successful proposer (hereinafter, "Contractor") shall provide the services called for in this RFP.

5. *Right to Retain Proposals.* Retain all proposals submitted and not permit withdrawal for a period of 60 days subsequent to the deadline for receiving proposals without the written consent of the Agency Contracting Officer (CO).

6. *Right to Negotiate.* Negotiate the fees proposed by the proposer entity.

7. *Right to Reject Any Proposal.* Reject and not consider any proposal or proposer that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/or proposers offering alternate or non-requested services.

8. *No Obligation to Compensate.* Have no obligation to compensate any proposer for any costs incurred in responding to this RFP.

9. *Right to Prohibit.* At any time during the RFP or contract process, prohibit any further participation by a proposer or reject any proposal submitted that does not conform to any of the requirements detailed herein.

10. *Grounds for Rejection of Proposals.* The following shall be grounds for rejection of proposals at HACF's sole discretion:

a. Proposer or any member of proposer's team has ever owned property upon which the Frederick County foreclosed due to failure to pay real estate taxes, or a loan secured by a mortgage to Frederick County or HACF.

b. Proposer or any member of proposer's team currently owes HACF any monies for incurred fees, rents or other indebtedness.

c. Proposer or any member of proposer's team has ever been convicted of an arson-related crime or is currently under indictment for any such crime.

d. Proposer or any member of proposer's team has been convicted in a court of competent jurisdiction arising from a criminal proceeding within three (3) years of the date of the first public advertisement of the within RFP wherein said conviction was for violating any law, code, or ordinance regarding conditions of human habitation, fair housing or housing discrimination, or tenant harassment, or is currently under indictment for any such violations.

e. Proposer or any member of proposer's team has a lack of creditworthiness, including foreclosures, bankruptcies, current defaults of more than 60 days, mortgage assignments, adjudications, or matters that jeopardize Proposer's ability to secure financing.

PART IV – EVALUATION PROCESS

There is no deadline. Proposals shall be reviewed and evaluated in the order they are received by a selection committee composed of HACF personnel or others deemed appropriate as determined by the HACF Executive Director.

Contract award shall be conditioned on successful negotiation of the revisions specified in the evaluation, subject to the approval of the HACF Executive Director, execution of a HAP contract is conditioned up any required HUD approvals.

Qualifications/Experience of Proposer Team

40 Points possible

Evaluation criteria as follows:

- Team Structure
- Principals & Staff
- Housing Development Experience
- Housing Management Experience
- Role for HACF
- References

1. **Team Structure:** Complete team, precise staffing plan and clear organizational and decision-making structure. Team consists of persons with past experience of successfully working together to develop, implement and manage complex affordable housing.

2. **Principals & Staff:** Each of the principals, the project manager, and more than half of the key staff have direct experience in structuring, implementing and/or managing large and complex affordable assisted family, elderly-disabled rental housing as well as experience with the Project Based Voucher Program.

3. **Housing Development Experience:**

(i) Development entity has direct experience, comprising at least 3 years and not less than 3 projects, in structuring, implementation and/or ownership of complex affordable rental housing developments.

(ii) A high scoring proposal must demonstrate that the applicant has either directly or through its team assembled all of the personnel, skills and other resources needed to complete the development project described in the proposal. This can be evidenced by reference projects of similar scale, budget, and complexity.

4. **Housing Management Experience:**

(i) A high scoring proposal must demonstrate that the applicant has a track record of successfully leasing up and managing projects of similar scale, complexity, and resident populations, and has developed a responsive and comprehensive management plan:

(ii) The management/maintenance and other operational plans presented in the proposal should not be boilerplate examples. A high scoring proposal will include a management plan that reflects the specific considerations of the site and the resident population including site/occupancy rules where applicable.

(iii) Include a detailed management and maintenance staffing plan that provides sufficient information for HACF reviewers to determine the level of staffing that will be present on-

site during business and nonbusiness hours, the approach to off-hour emergencies and other relevant property management information. HACF prefers a 24/7 response capacity.

Quality of Project Plan

40 Points possible

Evaluation criteria as follows:

- Financing Structure,
- Marketing Plan
- Management Plan
- Legal and Ownership Structure
- Project Schedule
- HACF Participation
- Project Design

1. **Financing Structure:** Financing assumptions are consistent with this RFP and/or relevant funding programs; as demonstrated by the degree to which the relevant factors are precisely identified, and the underlying reasoning is articulated, the discussion of the financing structure includes a relatively more thoughtful discussion of the strategy for maximizing affordability and for assuring the long-term viability of the development. The projections for fair market rents are reasonable and addressed with specificity and a schedule delineating the return of excess cash flow to the agency is complete.

2. **Marketing Plan:** As evidenced by the degree to which the relevant factors are precisely identified and the underlying reasoning is articulated, includes a relatively more thoughtful discussion related to the particular character.

3. **Management Plan:** As evidenced by the degree to which the relevant factors are precisely identified and the underlying reasoning is articulated, includes a relatively more thoughtful discussion related to the opportunities and challenges in creating a meaningful management plan that addresses the needs of the residents and the long-term viability of the property.

4. **Legal and Ownership Structure:** Legal and ownership structure meets requirements for award of PBVs and other subsidies, and permits implementation of the Project Plan.

5. **Project Schedule:**

- a. The proposal must include a project timeline indicating major milestones including when project units will be ready for occupancy:
- b. Newly constructed or rehabilitated units that will execute an agreement to enter into housing assistance payments (AHAP) and start construction within 36 months of the award announcement.

Number of Vouchers requested

20 Points possible

- 1. More than 8 vouchers up to 10 points
- 2. 8 or fewer vouchers – 20 points

HACF Participation

40 Points possible

The extent to which the proposal offers HACF meaningful participation in the development, ownership, management, operations, and year 15. Attach supplemental information, charts, pro formas, etc. as needed to illustrative the proposal.

1. HACF will have a share of ownership, developer fee, cash flow – 10 POINTS
2. HACF will provide maintenance services – 10 POINTS
3. HACF will provide supportive services – 10 POINTS
4. HACF will have a right of first refusal at the price in IRC 42(i)(7) - 10 POINTS

Length of HAP Contract Requested

20 points possible

1. 15 years requested – 20 POINTS
2. 20 years requested – 10 POINTS

Supportive Services Plan and Capacity

20 points possible

A high scoring Supportive Services Plan must demonstrate that the proposer:

1. Has planned and documented a high-quality supportive services program that is results/outcome oriented and responsive to projected needs of the resident population. It should include narrative and a matrix that lists the types of supportive services, the eligible target population for each type of service, the number of persons to be served for each type of service, where the service will be provided, who will provide each service, the amount budgeted for each service, and the projected outcomes of each service;

2. Has identified and secured the resources, partnerships and staffing needed to effectively execute the plan. This must include specific funding amounts by service type and provider including information on the duration of the funding. General or conditional support letters are not adequate; and,

3. Has assembled and obtained firm commitments from a team with documented track record(s) of effectively providing such services in residential locations to comparable populations, including but not limited to CORES providers or a proposal for HACF to provide services. This must be demonstrated by providing reference projects of similar scale and scope.

The Supportive Services Plan must include:

1. A comprehensive case management component with reasonable staff to case manager ratios identified; and
2. The types of services that HACF will deem eligible to qualify a project to meet HUD’s definition of families receiving supportive services include, but are not limited to:
 - a. Job readiness/Job training: Includes preparation and counseling, job development and placement, follow-up assistance after placement, completion of FSS “Contract of Family Participation”;
 - b. Education: Includes education for the completion of GED, post-secondary education, or computer training classes for children and adults;
 - c. Household Training: Includes homemaking, parenting skills, financial literacy and stability programs;

- d. Self-Sufficiency Services and Resources: Includes participating in the FSS program and accessing all appropriate services to assist the family to achieve economic independence and self-sufficiency;
- e. Substance Abuse Treatment: Includes counseling, treatment for substance abuse and participation in ongoing support groups.

PART V – GENERAL CONDITIONS OF THE RFP

RFP Available for distribution	Ongoing until withdrawn
Final day to submit written questions	Ongoing until withdrawn
Receipt of proposals by HACF deadline	Ongoing until withdrawn
Interviews (if HACF deems them necessary)	Ongoing until withdrawn

ACCEPTANCE OF RFP AND CONTRACT TERMS

Proposer's submission of a proposal in response to the RFP shall constitute acceptance by the Proposer of the terms and conditions of this RFP and the terms and conditions contained in all documents attached to and/or referenced in this RFP.

CONDITIONAL NOTICE OF AWARD AND CONTRACT AWARD

Issuance of the Letter of Award and the award of the PBVs are subject to the approval of the HACF Board of Commissioners, any HUD-required approvals, and receipt of third-party funding proposed in the RFP. It shall also and it shall be conditioned on the successful negotiation of revisions, if any, to the proposal, recommended as part of the evaluation of proposals.

NO WARRANTY

Proposers are required to examine the RFP, specifications, and instructions pertaining to the services requested. Failure to do so will be at the Proposer's own risk. It is assumed that the Proposer has made full investigation as to be fully informed as to the extent and character of the services requested and of the requirements of the specifications. No warranty is made or implied as to the information contained in the RFP, specifications, and/or instructions.

COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS

The Proposer agrees to comply with the provisions of PBV Requirements, applicable Maryland state housing laws, and with the requirements of Presidential Executive Order 11246, as amended, and all other relevant and applicable laws and/or regulations.

HACF RESERVATION OF RIGHTS

HACF reserves the right to cancel this RFP, or to reject, in whole or in part, any and all proposals received in response to this RFP, upon its determination that such cancellation or rejection is in the best interests of HACF. HACF further reserves the right to waive any minor informalities in any proposals received, if it be in the public interest to do so. The determination of the criteria and process whereby proposals are evaluated, the decision as to who shall receive a contract

award, or whether or not an award shall be made as a result of this RFP, shall be at the sole and absolute discretion of the HACF.

PART VI – SUBMISSION INSTRUCTIONS

Proposers responding to this RFP are required to submit their proposal in a tabbed electronic format with a signature. This submission should be in Adobe PDF format, although Microsoft Office file formats (Word, Excel, Power Point, etc.) are also acceptable.

Proposers shall submit their proposals to:

Angie Liddiard, Director of Economic Development
Housing Authority of the City of Frederick
Tel: (240) 578-4012
aliddiard@hacfrederick.org

**Attachment 1
HACF Application for
Project-Based Voucher Assistance**

1. Owner/Proposer Quick Contact Information

Date of Submission: _____

Owner Name: _____

Address: _____

Contact Person: _____

Phone Number: _____

Email Address: _____

Attach: organizational chart and information sufficient to determine all ownership interests.

2. General Project Information

Proposed PBV Project Name: _____

Total Units Proposed for PBV Assistance: _____ # Currently Occupied: _____

Legal Name of Project Owner: _____

Proposed PBV Project Address: _____

Proposed Management Company/Agent: _____

Project Type (New Construction or Significant Rehab) (no existing housing): _____

Number of Buildings in Project: Total Acreage of Project Site: _____

3. Accessibility Requirements

HUD Requirement: 24 CFR 8.27 requires that at least 5% proposed PBV units (or one unit, whichever is greater) meet UFAS standards for persons with mobility impairment and at least 2% of proposed PBV units (or one unit, whichever is greater) be accessible for persons with hearing or vision impairments. If the percentage is a fraction, round up to the next whole number.

Complete the bedroom distribution chart below for the overall project and for the requested PBV contract units.

	OBR	IBR	2BR	3BR	4BR	5BR	Total
All Units in Project							
Total Proposed PBV Contract Units							
# of Proposed PBV Units that are ADA handicapped accessible							
# of Proposed PBV Units that are equipped for sensory impaired							

4. Resident Population

Who is the intended target population for the proposed PBV units? Check All That Apply:

- Single Persons
- Families
- Elderly (a least one person over 62 years)
- Disabled

5. Tenant Selection Plan and Lease

Attach a copy of the proposed tenant selection plan to occupy PBV units and the lease to be entered into between owner and tenant.

HACF’s tenant selection procedures for its tenant-based voucher program apply for units assisted under the PBV Program. All applicants indicating interest in the PBV units will be referred by HACF to the project after screening for Section 8 Project Based Voucher (PBV) eligibility from the HACF’s applicable choice voucher waiting list waiting list.

The tenant selection plan must include a statement that applicants for the PBV units will be selected in accordance with all applicable HUD requirements and regulations. If participation in a supportive services program is required, incorporate detailed information on the requirements and how the program will be monitored. At a minimum, the plan must address the following:

- Screening policies and criteria to be used. If credit checks are used, describe acceptability criteria.
- Screening for credit and other factors must be consistent with the screening criteria used for non-assisted tenants
- Security deposit policies
- Procedures for accepting applications and selecting from the waiting list
- Unit transfer policies
- Compliance with Section 504 of the Rehabilitation Act of 1973, Fair Housing Act and relevant civil rights laws & statutes

6. Requested Contract Term

The initial HAP contract term can be for a maximum term of 20 years.

Indicate the length of initial HAP contract term requested by owner: _____

7. Other Project Based Assistance and Affordability Restrictions

Are the proposed PBV units assisted through the Low-Income Housing Tax Credit program?

- Yes
- No

Do any units within the proposed PBV project currently have another form of rental or other government assistance? Refer to 24 CFR 983.54 for further information.

- Yes
- No

If Yes, describe type of assistance and units that are impacted with respect to the number/breakout of proposed PBV Units.

Will there be a recorded housing affordability restriction other than LIHTC?

If Yes, describe

- the housing program requiring the restriction and the date of expiration.
- The type of assistance and units that are impacted.

8. Amenities

Unit Amenities

Check off any amenities that will be provided. Add others below if not included on this list.

- Features adapted/ adaptable for persons with disabilities
- Air conditioning
- Off street parking
- Laundry facilities
- Porches, decks, own backyard
- Children’s play areas
- Recreational facilities
- Common area function room(s)
- On-Site Management Office
- Energy Efficient Appliances
- Solar
- Other

Community Amenities

Distance To:	Less than .5 Mile	Approx. 1 Mile	More Than 1 Mile
Shopping, groceries, pharmacy, other everyday needs			
Employment Opportunities (i.e. organizations with 25 or more employees)			
Public Transportation			
Medical facilities			
Public Schools			
Parks, civic facilities			
Community Based Outpatient Clinics (CBOC)			

9. Deconcentration of Poverty and Expanding Housing and Economic Opportunities

HUD Requirement: See 24 CFR 983.57(b)

Census Tract of Proposed PBV Project: _____ **Poverty Rate*:** _____

*Census tracts and poverty rates can be based off most recent American Communities Survey (ACS) data. Attached ACS printout.

Applicants for PBV assistance must demonstrate that the proposed PBV project is consistent with HUD's statutory goal of "deconcentrating poverty and expanding housing and economic opportunities", regardless of the project's poverty rate as defined by the most recent census data. Provide a brief, separate response to each of the criteria listed below. If necessary, attach additional documentation.

Describe any of the following that may apply to the project's census tract:

- 1) **HUD Designated Zone** - HUD-designated Enterprise Zone, Economic Community, or Renewal Community.
- 2) **Public Housing Demolition** – the concentration of assisted units will be or has decreased as a result of public housing demolition.
- 3) **Significant Revitalization** – Is the census tract in which the proposed PBV development will be located is undergoing significant revitalization. [address in #11]
- 4) **Public Investment** – Have state, local, or federal dollars been invested in the area that has assisted in the achievement of the statutory requirement. [address in #11]
- 5) **New Market Rate Units/Private Investment** - Have new market-rate units are being developed in the same census tract where the proposed PBV development will be located and the likelihood that such market-rate units will positively impact the poverty rate in the area. [address in #11]
- 6) **Decline in Poverty Rate.** If the poverty rate in the area where the proposed PBV development will be located is greater than 20 percent, demonstrative a decline in poverty over time using census data, if available.
- 7) **Education and Economic Opportunities** – [address in #10]

10. Site and Neighborhood Standards

HUD Requirement: See 24 CFR 983.57(d) and (e)(4) through (e)(7)

Provide a brief narrative indicating how the proposed project conforms to the required site and neighborhood standards for each item below. Attach any additional materials as needed, which may include a Market Study.

- 1) The site must be adequate in size, exposure and contour to accommodate the number and type of units proposed, and is there adequate utilities and available streets to service the site.
- 2) The site must promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.
- 3) The site must be accessible to social, recreational, educational, commercial and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents;
- 4) Except for housing designed for elderly persons, the site must be located such that travel time and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower income workers is not excessive.

11. Site and Neighborhood Standards: New Construction Projects

HUD Requirement See 24 CFR 983.57(e)

Only proposals for PBV assistance in New Construction projects must complete this section. Applicants must provide a brief narrative indicating how the proposed project conforms to the required site and neighborhood standards for these housing types. For each of the seven criteria listed below, provide a brief narrative. Attach any additional materials as needed.

Census Tract of Proposed PBV Project: _____

Use this tool to determine if HUD considers the project census tract to be an “area of minority concentration.” Attach results to the application.

<https://www.huduser.gov/portal/maps/rad/home.html>


- 1) The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities (water, sewer, gas, and electricity) and streets must be available to service the site;
- 2) The site must not be located in a census tract that is an area of minority concentration, except as permitted under paragraph (3) below, and must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area. Use this HUD tool to determine if the project census tract is an area of minority concentration. <https://www.huduser.gov/portal/maps/rad/home.html>
- 3) If the project is located in an area of “minority concentration” pursuant to the tool above, the site is suitable only if it one of the two exceptions below:

- a) **Exception 1: Sufficient, comparable opportunities** exist for housing for minority families in the income range to be served by the proposed project outside areas of minority concentration; or
- i) "Sufficient" does not require that there be an equal number of assisted units within and outside of areas of minority concentration. Rather, application of this standard should produce a reasonable distribution of assisted units each year that, over a period of several years, will approach an appropriate balance of housing choices within and outside areas of minority concentration. An appropriate balance must be determined in light of local conditions affecting the range of housing choices available for low-income minority families and in relation to the racial mix of the City's population.
 - ii) Units may be considered "comparable opportunities," as used in paragraph 3)(i) above, if they have the same household type (elderly, disabled, family, large family) and tenure type (owner/renter); require approximately the same tenant contribution towards rent; serve the same income group; are located in the same housing market; and are in standard condition.
 - iii) Application of this sufficient, comparable opportunities standard involves assessing the overall impact of HUD-assisted housing on the availability of housing choices for low-income minority families in and outside areas of minority concentration, and must take into account the extent to which the following factors are present, along with other factors relevant to housing choice:
 - (1) A significant number of assisted housing units are available outside areas of minority concentration.
 - (2) There is significant integration of assisted housing projects constructed or rehabilitated in the past 10 years, relative to the racial mix of the eligible population. (C) There are racially integrated neighborhoods in the locality.
 - (3) Programs are operated by the locality to assist minority families that wish to find housing outside areas of minority concentration.
 - (4) Minority families have benefited from local activities (e.g. , acquisition and write-down of sites, tax relief programs for homeowners, acquisitions of units for use as assisted housing units) undertaken to expand choice for minority families outside of areas of minority concentration.
 - (5) A significant proportion of minority households has been successful in finding units in non- minority areas under the tenant-based assistance programs.
 - iv) Comparable housing opportunities have been made available outside areas of minority concentration through other programs.

b) Exception 2: Overriding Housing Need (aka Project in a Revitalizing Area)

- i) Demonstrate that the site is an integral part of an overall local strategy for the preservation or restoration of the immediate neighborhood or is in a census tract experiencing significant public or private investment that is demonstrably improving the economic character of the area (a "**revitalizing area**") under the criteria in #9.
 - ii) Attach brief explanation of why the project site meets this exception using data from the same census tract only.
- 4) The site must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority or non-minority residents in the area.
- 5) The neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate, unless there is actively in progress a concerted program to remedy the undesirable conditions.

[application continues on the next page]



13. Additional Project Information

1) **Construction Schedule:** Complete the following schedule.

Finance Closing _____

Construction Start Date _____

Construction Completion Date _____

Occupancy Date _____

2) **Zoning and Other Approvals:** Have all zoning and other required approvals including historic and HUD environmental review as appropriate been received? Yes No

If No, provide a description of current status of required approvals including an estimate of when all required approvals will be secured.

3) **Site Control:** Does Owner have site control over the proposed site? Yes No

Provide a brief description of the nature of the owner’s site control. Attach documentation where needed, i.e. a copy of site control contract, etc.

Attach the Following;

- 1) Description of project work plans such as site/unit plans and elevations
- 2) Statement of Sources and Uses for Funds to develop the project
- 3) Operating pro forma
- 4) Documentation regarding compliance with Davis – Bacon Wage rates if nine (9) or more units are proposed for project-based assistance.

14. HACF Participation

Describe anticipated role for HACF to have meaningful participation in the project, if any. Such participation could include co-developer, managing supportive services, ownership interest, and for LIHTC projects, a right of first refusal at the amount set in IRC 42(i)(7), as it may be amended. Attach supplemental information, charts, pro formas, etc. as needed to illustrative the proposal.

If HACF is already in discussions with proposer, summarize the terms under discussion or an Executed Agreement.



15. Applicant Certifications

Provide the required information on a separate sheet of paper and attach to this application:

- a) The identity of the owner and other project principals and the names of officers and principal members, shareholders, investors, and other parties having a substantial interest in the project;
- b) A certification stating that the above-mentioned parties are not on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement programs;
- c) A disclosure of any possible conflict of interest by any of these parties that would be a violation of the PBV Housing Assistance Payments (HAP) contract.

I, _____, attest and certify that all of the information herein contained is true and accurate to the best of my knowledge. I understand that by submitting this application for project- based assistance application there is no commitment from HACF that my proposal will be accepted. I understand that in-place existing tenants must be certified as eligible to receive project-based assistance, and if they are not eligible, I may not displace them in order to qualify their unit for PBV. I understand and agree to abide by all applicable federal Section 8 requirements found at 24 CFR Part 983 and HACF requirements found in its Administrative Plan.

Signature of Owner

Title

Date

Attachment 2 Evaluation Scoring

1. **Qualifications/Experience of Proposer Team** **40 points possible**
Evaluation criteria as follows:
 - a.) Team Structure
 - b.) Principals & Staff
 - c.) Housing Development Experience
 - d.) Housing Management Experience

2. **Quality of Project Plan** **40 Points possible**
Evaluation criteria as follows:
 - a.) General
 - b.) Financing Structure,
 - c.) Marketing Plan
 - d.) Management Plan
 - e.) Legal and Ownership Structure
 - f.) Resident Service Plan
 - g.) Project Schedule
 - h.) Project Design

3. **Number of Vouchers requested** **20 Points possible**
 - a.) More than 8 vouchers 10 points
 - b.) 8 or fewer vouchers – 20 points.

4. **HACF Participation** **40 Points possible**
 - a.) HACF will have a share of ownership, developer fee, cash flow – 10 POINTS
 - b.) HACF will provide maintenance services – 10 POINTS
 - c.) HACF will provide supportive services – 10 POINTS
 - d.) HACF will have a right of first refusal at the price in IRC 42(i)(7) - 10 POINTS

5. **Length of HAP Contract requested** **20 points possible**
 - a.) 15 years requested – 20 points
 - b.) 20 years requested – 10 points

6. **Supportive Services Plan and Capacity** **20 points possible**

Attachment 3
HACF Housing Choice Voucher Administrative Plan

<https://www.hacfrederick.org/board-of-commissioners/>