

DANIA BEACH HOUSING AUTHORITY

**REQUEST FOR APPLICATIONS OR QUALIFICATIONS FOR ASSISTANCE UNDER
THE SECTION 8 PROJECT-BASED VOUCHER PROGRAM FOR SUBSTANTIAL
REHABILITATION OR NEW CONSTRUCTION HOUSING UNITS**

Issue Date: December 4th, 2020

Application Due Date: 4:00 P.M. on January 22nd, 2021

RFQ # 2020-15PBV

Anne Castro
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Dania Beach Housing Authority
1101 West Dania Beach Boulevard, Suite 100
Dania Beach, Florida 33004

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REQUEST FOR APPLICATIONS OR QUALIFICATIONS FOR ASSISTANCE UNDER THE SECTION 8 PROJECT-BASED VOUCHER PROGRAM FOR SUBSTANTIAL REHABILITATION OR NEW CONSTRUCTION HOUSING UNITS

I. PURPOSE AND ELIGIBILITY

The Dania Beach Housing Authority ("**DBHA**") is accepting applications from property owner(s) and/or developer(s) to provide assistance under the Section 8 Project-Based Voucher ("**PBV**") program. DBHA may use up to 20% of its budget for project-based assistance. DBHA sees a need for housing that is affordable to families and individuals within the City of Dania Beach, Florida. DBHA estimates that it will be able to provide project-based assistance for up to 15 units of housing for eligible families and individuals under the PBV program to support the preservation or creation of affordable housing opportunities in the area. PBVs may be awarded to a new construction project or a substantial rehabilitation project. DBHA reserves the right to award multiple contracts as deemed to be in the best interest of DBHA. DBHA may award all or none of the vouchers applied for.

PBVs are a component of DBHA's PBV Program. DBHA will attach voucher assistance to specific housing units if the owner agrees to set aside a portion of the units in a newly-constructed or substantially rehabilitated development. All units must meet U.S. Department of Housing and Urban Development ("**HUD**") housing quality standards and all rent must be considered reasonable by DBHA.

For purposes of this request for applications or qualifications ("**RFQ**"), new construction is defined as: Housing units that do not exist on the application selection date and are developed after the date of selection pursuant to an agreement between the DBHA and the owner for use under the PBV program.

For purposes of this RFQ, substantial rehabilitation is defined as: Housing units that exist on the application selection date, that are in need of substantial rehabilitation, and are rehabilitated, pursuant to an agreement between the DBHA and owner, for use under the PBV program.

Applicants should be aware of the following conditions:

1. All required land use approvals must be obtained. Any award of vouchers is contingent upon receiving all required land use approvals.
2. The project must meet all applicable requirements of the HUD Project-Based and Housing Choice Voucher program regulations.
3. The project may be subject to a HUD subsidy layering review, in accordance with HUD subsidy layering regulations (24 CFR 4.13) to prevent excess subsidy. Successful

applicants may be required to submit a list of documents to DBHA which will then be submitted to HUD for review.

4. The housing project must comply with design and construction requirements of the Fair Housing Amendments Act of 1988 and implementing regulations at 24 CFR 100.205, as applicable, and accessibility requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8.
5. An Environmental Review and/or Assessment will be required. If an Assessment is required, the cost will be charged to the applicant.
6. Due to the above conditions and requirements, applicants should be aware of the significant lead time necessary to secure all required approvals prior to commencement of construction.
7. Execution of an Agreement to Enter Into a Housing Assistance Payments Contract ("**AHAP**") between the selected applicant and DBHA is contingent upon completion of all of the above requirements which must be signed before construction of the proposed development or rehabilitation begins. Upon final inspection of the work, the applicant and DBHA will execute a Housing Assistance Payments Contract ("HAP Contract").
8. Applicants should note that upon execution of the AHAP, the applicant will be required to comply with Federal requirements imposed by the AHAP, including the use of the Federal Davis-Bacon construction wage guidelines, participation of Section 3 and minority-owned and women-owned business enterprise businesses, and the need to obtain National Environmental Policy Act environmental clearance. A copy of the form of AHAP may be requested from DBHA prior to the submission of applications.
9. Any award is contingent upon receipt of adequate funding and necessary approvals by HUD.

The following housing types *are not eligible* for PBV awards under this RFQ:

1. Shared housing units;
2. Units on the grounds of a penal, reformatory, medical, mental, or similar public or private institution;
3. Nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care (however, PBV assistance may be provided in assisted living facilities);
4. Units that are owned or controlled by an educational institution or its affiliate and are designated for occupancy by students;
5. Manufactured homes;
6. Cooperative housing;

7. Transitional Housing;
8. High-rise elevator project for families with children;
9. Units occupied by an owner of the housing; or
10. Units occupied by a family ineligible for participation in the PBV program.

In addition, PBV assistance ***will not*** be provided to:

1. A public housing unit;
2. A unit subsidized with any other form of Section 8 assistance;
3. A unit subsidized with any governmental rent subsidy;
4. A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
5. A unit subsidized with Section 236 rental assistance payments (12 U.S.C. 1715z-1) (except that DBHA may attach assistance to a unit subsidized with Section 236 interest reduction payments);
6. A unit subsidized with rental assistance payments under Section 521 of the Housing Act of 1949, 42 U.S.C. 1490a (a Rural Housing Service Program);
7. Section 202 project for non-elderly persons with disabilities (assistance under Section 162 of the Housing and Community Development Act of 1987, 12 U.S.C. 1701q note);
8. Section 811 project-based supportive housing for persons with disabilities (42 U.S.C. 8013);
9. Section 202 supportive housing for the elderly (12 U.S.C. 1701q);
10. A Section 101 rent supplement project (12 U.S.C. 1701s);
11. A unit subsidized with any form of tenant-based rental assistance (as defined at 24 CFR 982.1(b) (2)) (*e.g.*, a unit subsidized with tenant-based rental assistance under the HOME program, 42 U.S.C. 12701 *et seq.*); or
12. A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or by DBHA in accordance with HUD requirements. For this purpose, "housing subsidy" does not include the housing component of a welfare payment; a social security payment; or a federal, state, or local tax concession (such as relief from local real property taxes).

II. ELIGIBLE APPLICANTS

Developers or owners proposing to create new construction or substantially rehabilitated housing that will serve low or moderate income and/or homeless families and individuals in the City of Dania Beach, Florida.

III. THRESHOLD ELIGIBILITY REQUIREMENTS FOR PROPERTIES AND APPLICANTS RECEIVING PROJECT-BASED VOUCHERS FROM DBHA

1. The property must be located in City of Dania Beach, Florida;
2. The applicant must prove ownership of the site or control of proposed site by purchase contract, purchase option or other equivalent arrangement, where such control extends through the proposed date for acquiring title to the site;
3. The applicant must be incorporated, formed or organized in the State of Florida;
4. The applicant must have policies and procedures including admission policies, rules for resident behavior, procedures for involuntary discharge and a complaint procedure;
5. The applicant must be annually audited by a certified public accounting firm and the results must be provided to the local governments. **The most recent audit must be part of the applicant's application;**
6. The applicant must have in place the following insurance which shall be written by companies authorized to do business in the State of Florida and acceptable to the DBHA:
 - a. Comprehensive general liability insurance at limits not less than One Million Dollars (\$1,000,000.00) combined single limits;
 - b. Commercial general liability insurance including contractual liability coverages in the amount not less than One Million Dollars (\$1,000,000.00) combined single limits;
 - c. Employee dishonesty bond at limits not less than One Million Dollars (\$1,000,000.00); and
 - d. Workers Compensation Insurance as required under Florida law.
7. The applicant must comply with all the laws and regulations of the City of Dania Beach and Broward County, including but not limited to laws involving the use, maintenance and operation of structures, including building permits, zoning, code enforcement and rental certificates of compliance;
8. The applicant must not be involved in any current litigation or contractual dispute with DBHA, the City of Dania Beach, or any municipality in Broward County;
9. The applicant must designate a point of contact for DBHA staff;
10. The applicant must provide to DBHA, HUD or its agents reports, financial and other information as requested that may be needed to ensure compliance with local, state and federal laws and regulations; and
12. Applicants must be able to enter into an AHAP and start the project for which PBVs have

been requested within a 12-month period after the announcement of award of PBVs or DBHA reserves the right withdraw the award.

IV. SPECIFIC REQUIREMENTS

1. **Resident Choice and Continued Assistance.** Persons or families occupying units with PBV assistance have the right to move after one year with a tenant-based Section 8 voucher or its equivalent. When a family moves out of a unit with PBV assistance, it must be replaced by a family that is referred from DBHA's waiting list. This will ensure that the specified number of subsidies continue to be used at the development throughout the term of DBHA's contract with the owner.
2. **HAP Contract.** A form HAP Contract is included and made a part hereof as Attachment A.
3. **Contract Term and Extension.** DBHA has the discretion to set the initial contract term for any period of time up to a maximum of twenty years, subject to the availability of adequate annual appropriations. The initial contract may be extended for a period of up to twenty additional years if DBHA considers such extension appropriate to achieve long-term affordability or to expand housing opportunities. At DBHA's option, the initial contract may bind the owner to accept extensions offered by DBHA.
4. **HQS and Inspections.** Each unit identified to receive project-based assistance must pass a Housing Quality Standards ("**HQS**") inspection before a HAP Contract may be signed. PBV contracts are subject to the same annual inspection requirements as tenant based voucher contracts.
5. **Rent.** DBHA's contract with the owner sets the rent for each unit with PBV assistance. The amount of the rent may not exceed the lower of the applicable maximum level, as explained below, or the "reasonable" rent in light of the rents charged for comparable unassisted units in the area. The applicable maximum is the maximum voucher payment standard which is 110 percent of the HUD-determined fair market rent ("**FMR**"). Up to this maximum, the rent for a unit is allowed as long as the rent is reasonable. In some cases HUD may approve at their discretion exception rents for as much as 120 percent of the HUD-determined FMR. An independent reasonable rent study in accordance with HUD requirements will be prepared to determine the initial contract rent. The total rent to the owner for PBV assisted units consists of the tenant rent (the portion of the rent to owner paid by the family) and the rental assistance paid by DBHA in accordance with the HAP contract.
6. **Rent Increases.** Rent increases during the term of the contract may be approved by DBHA so long as the increased rents do not exceed the above rent limits and are reasonable.
7. **Individual or Family Share of the Rent.** Individuals or families with PBVs pay 30 percent of their adjusted income for rent and utilities.
8. **Waiting List.** DBHA will not maintain a separate waiting list for each project eligible for PBV assistance. Owners are responsible for selecting tenants for units assisted with PBVs

from among the persons or families referred by DBHA from its waiting list. An owner may refer persons or families that apply directly to the development to DBHA to be placed on the waiting list. No person or family is required to accept PBV assistance; persons or families that reject an offer of PBV assistance or are rejected by the owner and are on the tenant-based voucher waiting list retain their place on that list.

9. **Targeting.** The income of persons or families selected for PBV units is considered in determining whether DBHA has complied with the requirement that at least 75 percent of new admissions to the voucher program each year must have incomes at or below 30 percent of the area median income.
10. **Feasibility.** Proposed developments must be substantial rehabilitation or new construction, financially feasible and operationally viable, as demonstrated via submission of development and operating pro-formas.
11. **Location.** DBHA will provide PBV assistance with the goal of deconcentrating poverty and expanding housing and economic opportunities to the maximum extent feasible. Proposed developments located in close proximity to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services, either on site or off-site.

It is DBHA's goal to select sites for PBV assistance that provide for deconcentrating poverty and expanding housing and economic opportunities. In complying with this goal, DBHA will limit approval of sites for PBV assistance in census tracts that have poverty concentrations of 20 percent or less. However, DBHA will grant exceptions to the 20 percent standard where DBHA determines that the project-based assistance will complement other local redevelopment activities designed to deconcentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than 20 percent, such as sites in:

- A census tract in which the proposed development will be located in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community;
- A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition and HOPE VI redevelopment;
- A census tract in which the proposed development will be located is undergoing significant revitalization as a result of state, local, or federal dollars invested in the area;
- A census tract where new market rate units are being developed where such market rate units will positively impact the poverty rate in the area;
- A census tract where there has been an overall decline in the poverty rate within the past five years; or
- A census tract where there are meaningful opportunities for educational economic advancement.

DBHA may not enter into an AHAP for rehabilitated housing until it has determined that the site complies with the HUD required site and neighborhood standards set forth at 24 CFR 983.57(d), for substantial rehabilitation developments, and 24 CFR 983.57(e), for new construction developments, as applicable.

Upon completion of construction and issuance of an occupancy permit, and provided that all other requirements under this RFQ have been met, DBHA will enter into a HAP Contract with the owner for the site selected and approved for PBV assistance. DBHA will make housing assistance payments to the owner in accordance with the HAP Contract for those contract units leased and occupied by eligible families during the HAP Contract term.

V. APPLICATION INSTRUCTIONS

Application packets are available at the offices of Dania Beach Housing Authority, 1101 West Dania Beach Boulevard, Suite 100, Dania Beach, Florida 33004. DBHA offices are open Monday through Thursday, 8:30 a.m. to 5:00 p.m., local time.

Any questions regarding the application must be submitted in writing. Questions are to be directed to Anne Castro, Executive Director, Dania Beach Housing Authority, 1101 West Dania Beach Boulevard, Suite 100, Dania Beach, Florida 33004, or by email at acastro@daniabeachhousing.org.

Applications are due January 22nd, 2021, and must be received by DBHA by 4:00 p.m., local time, at the offices of Dania Beach Housing Authority, 1101 West Dania Beach Boulevard, Suite 100, Dania Beach, Florida 33004, Attention: Anne Castro, Executive Director. Responses will not be read aloud. Late responses will not be accepted. Fax responses will not be accepted. Please submit five (5) copies of your application.

Only applications submitted in response to this RFQ will be considered. Submitted applications must respond to all requirements as outlined in this RFQ; incomplete applications will not be reviewed.

No application shall be withdrawn for a minimum period of 90 days following the application deadline without the consent of DBHA.

Minority-owned and women-owned business enterprise businesses are encouraged to respond to this solicitation.

Please tab your application as required (see Application Contents below). Copies must be packaged in sealed envelopes marked with the following:

- Title: Request for Applications or Qualifications for Assistance Under the Section 8 Project-Based Voucher Program
- Applicant's Name and Address

VI. APPLICATION CONTENTS

Omission of any of the following information, documents or certifications will render the application non-responsive. All applications shall contain the following:

Tab 1 Application Form. (Use enclosed form --- Application Form and Schedule of Buildings Proposed for Assistance.)

Tab 2 Threshold Application Requirements:

1. **Letter of Interest.** Applicant's submittals shall be accompanied by a Letter of Interest on the Applicant's letterhead. The letter should state Applicant's understanding of the engagement, the commitment to perform the work, if any, expeditiously, a brief statement indicating why the Applicant believes itself to be best qualified to perform the engagement, and a statement that the response is firm and irrevocable for 90 days.

2. **Proven Ownership or Control of Property Proposed for Project-Based Assistance.**

3. **Compliance with Fair Housing and Civil Rights Laws.** (Use enclosed form --- Certification of Previous Compliance with Fair Housing and Civil Rights Laws.)

All applicants and their employees must comply with all Fair Housing and civil rights laws, statutes, regulations and executive orders as enumerated in 24 CFR 5.105(a).

The applicant will not be eligible for consideration if the applicant—

- Has been charged with a systemic violation of the Fair Housing Act by HUD alleging ongoing discrimination;

- Is a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging an ongoing pattern or practice of discrimination; or

- Has received a letter of noncompliance findings under Title VI, Section 504, or Section 109

DBHA will not rate or rank an application if the charge, lawsuit, or letter of findings has not been resolved to the satisfaction of DBHA before the application deadline stated in this RFQ. DBHA's decision regarding whether a charge, lawsuit, or a letter of findings has been satisfactorily resolved will be based upon whether appropriate actions have been taken to address allegations of ongoing discrimination in the policies or practices involved in the charge, lawsuit, or letter of findings.

4. **Certification that the applicant has not been deemed ineligible for participation in Federal and HUD programs.** (Use enclosed form --- Certification of Eligibility for Participation in Federal and HUD Programs.)

The applicant will not be eligible for consideration if the applicant:

- Has had its participation in Federal programs limited;
- Has been debarred from participation in Federal programs;
- Has been charged with fraud or abuse of a Section 8 program;
- Is a defendant in a fraud or abuse lawsuit filed by the Department of Justice, HUD or DBHA alleging fraud or abuse; or
- Has received a letter from the Department of Justice, HUD or DBHA alleging fraud or abuse.

DBHA will not rate or rank an application if the charge, lawsuit, or letter of findings has not been resolved to the satisfaction of DBHA before the application deadline stated in this RFQ. DBHA's decision regarding whether a charge, lawsuit, or a letter of findings has been satisfactorily resolved will be based upon whether appropriate actions have been taken to address allegations of fraud or abuse in the policies or practices involved in the charge, lawsuit, or letter of findings.

Tab 3 Property Requirements:

1. The application for project-based assistance must provide a schedule of buildings indicating that the units proposed for participation in the project-based program are either (a) equal to or less than 25 percent of the units in any one building, (b) excepted units in a multifamily building because they are specifically made available for elderly families or families receiving supportive services (also known as qualifying families) or (c) the unit(s) are in a single-family dwelling, defined as 1–4 family dwellings per building, or as otherwise permitted pursuant to the U.S. Housing Opportunities Through Modernization Act of 2016, as implemented by the U.S. Department of Housing and Urban Development. (Use enclosed form --- Application Form and Schedule of Buildings Proposed for Assistance)
2. The applicant must submit development and operating pro-formas evidencing the financial feasibility and operation viability of the proposed new construction or substantial rehabilitation development.
3. The applicant must provide evidence that the proposed new construction or substantial rehabilitation development is permitted by applicable zoning ordinances, or evidence to indicate that any rezoning or relief required would likely occur and not delay the development.

4. A letter signed by the applicant must be submitted that assistance will not be attached to a unit that is occupied by the applicant.
5. **Proposed Development Methods and Strategy:** Provide a narrative description of the applicant's methods and strategy to develop this new construction or substantial rehabilitation project. Illustrate this approach with descriptions of at least three such developments, including one well established development and one recently completed development.

Tab 4 Management Capability:

The Applicant shall submit the following information regarding its qualifications:

1. **Organizational Structure and Staffing.** Provide a detailed description of the organizational structure and staffing of the applicant. List the members of the applicant's team; indicate their areas of specialization and specific contribution to the team. Provide a brief description of previous collaboration among the members of the applicant's team. Additionally, for each discipline represented on the applicant's team, indicate if familiarity with state or local rules, practices or conditions is important to the effective accomplishment of the development and, if so, indicate the extent of and basis for the team's familiarity.
2. **Profile of Principals and Key Staff.** Provide profiles of the principals and key staff to be involved in the development effort. This information should specify their roles, their existing time commitments, their previous development experience, and whether the staff will be locally based. Identify the individual who will serve as the project manager and who will direct and coordinate the development project to completion.
3. **Termination.** Indicate whether the applicant or any applicant team member has been terminated from a contract, and if so, describe the circumstances and outcome.
4. **Litigation.** Indicate whether the applicant or any applicant team member has ever sued or been sued by a public agency, and if so, describe the circumstances and outcome.
5. **Previous Housing Development Experience.** Provide information on all residential (rental or homeownership) development projects in which the applicant has participated. This information should list the location, size, ownership type, public programs utilized, income levels served (very low, moderate, market rate, or mixed), type of development (high, mid or low-rise, walk-ups, townhouses, etc.), extent of community and/or resident participation, and development cost.
6. **Capacity.** Applicant shall certify that the applicant and all team members are available to start immediately. The applicant should describe any

existing time commitments of the proposed team members or their proposed staff which would impair the applicant's ability to proceed expeditiously.

7. **References.** Provide the name, mailing address and telephone number of two community partner references, two housing authority references (if developer has housing authority experience), two tax credit investor references, and at least one housing finance agency reference.
8. **Understanding Local Requirements.** Demonstrate that the applicant possesses an understanding of local requirements and procedures that will enable the effort to be efficiently completed.

Applicants may submit as much information as necessary to prove the above. The rating of the applicant and the applicant's company and staff, for technical merit or threshold compliance will include any agents, consultants, and members of boards of directors.

The proof submitted may take a variety of forms including experience statements, resumes of staff in key management positions, operating and maintenance procedures, staffing patterns, etc.

Please remember that only those applicants determined by DBHA to have management capability will be selected for participation.

Financial Responsibility.

Provide current financial statements of the applicant prepared by a Certified Public Accountant.

Tab 5 Other submission requirements:

In addition to the above, the applicant must submit the following certifications:

- a. Non-Collusive Affidavit and Certificate of Non-Organizational Conflict of Interest (enclosed)
- b. Certification of Applicant Regarding Debarment, Suspension and Other Responsibility Matters (enclosed)
- c. Certification Regarding Lobbying (enclosed)

VII. SCORING CRITERIA FOR SUBSTANTIAL REHABILITATION AND NEW CONSTRUCTION UNITS:

1. **Rating Panels.** To review and rate applications, DBHA will establish a rating panel. This panel may include persons not currently employed by DBHA.

2. **Threshold Requirements.** DBHA will review each application to determine whether it meets all of the threshold requirements. If the application does not meet the threshold requirements, it will not be rated or ranked.
3. **Rating.** DBHA will evaluate and rate all applications for assistance that meet the threshold requirements according to the rating factors below. The rating of the applications for technical merit or threshold compliance will include any owners, employees, agents, consultants, and members of boards of directors.
4. **Ranking.** DBHA will rank all applicants who meet the threshold requirements by assigning points to each of the rating criteria requirements. Ranking will be given with those applicants by points assigned.
5. **Negotiations.** Unless there is no need for negotiations with any of the applicants, negotiations shall be conducted with applicants who submit proposals determined to have a reasonable chance of being selected for award, based on evaluation against the factors as specified in the RFQ. Such applicants shall be accorded fair and equal treatment with respect to any opportunity for negotiation and revision of proposals. The purpose of negotiations shall be to seek clarification with regard to and advise applicants of the deficiencies in both the technical and price aspects of their proposals so as to assure full understanding of and conformance to the solicitation requirements. No applicant shall be provided information about any other applicant's proposal, and no applicant shall be assisted in bringing its proposal up to the level of any other proposal. A common deadline shall be established for receipt of proposal revisions based on negotiations.
6. **Award.** After evaluation of proposal revisions, if any, the contract shall be awarded to the responsible firm(s) whose qualification, price and other factors considered, are the most advantageous to DBHA. Within 7 days of DBHA making the selection, DBHA will notify the selected applicant in writing of the applicant's selection for the PBV program under this RFQ. DBHA will also notify in writing all applicants that submitted applications that were not selected and advise such owners of the name of the selected owner. In addition, DBHA will publish its notice for selection of PBV applications for two consecutive days in the same newspapers and trade journals DBHA used to solicit the applications. The announcement will include the name of the applicant that was selected for the PBV program under this RFQ. DBHA will also post the notice of applicant selection on its website.
7. **Right to Award Multiple Contracts and Right to Not Award.** DBHA reserves the right to award multiple contracts under this procurement as deemed to be in the best interest of DBHA. Furthermore, DBHA reserves the right to award all or none of the vouchers applied for and to cancel and/or reissue this RFQ at any time in DBHA's sole discretion.
8. **Factors For Award Used To Evaluate and Rate Applications.** The points awarded for the base rating factors total 50.

Criteria	Points
Base Factors	
Property Requirements	
1. Extent to which proposed development will further DBHA goal of deconcentrating poverty and expanding housing and economic opportunities	8
2. Extent to which services beneficial to residents will be provided on site or in the immediate area, including social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services	12
3. Proposed building(s) are either (i) below the 25% cap on units receiving project-based assistance, (ii) located in single-family building (one to four units), (iii) excepted units specifically made available for elderly residents or residents eligible to receive supportive services (or as otherwise permitted pursuant to the U.S. Housing Opportunities Through Modernization Act of 2016, as implemented by the U.S. Department of Housing and Urban Development). Developments with the lowest percent of assisted units will receive the highest score for this factor	5
Management and Financial Capability	
1. The applicant has adequate experience and capability to build new construction or substantially rehabilitated housing and meet the requirements of this RFQ	10
2. Proposed building(s) must be financially feasible and operationally viable, as demonstrated by submission of development and operating pro-formas	15

VIII. APPLICATION FORMS ENCLOSED

1. Application Form and Schedule of Buildings Proposed for Assistance;
2. Certification of Previous Compliance with Fair Housing and Civil Rights Laws;
3. Certification of Eligibility for Participation in Federal and DBHA Programs;
4. Non-Collusive Affidavit and Certificate of Non-Organizational Conflict of Interest;
5. Certification of Applicant Regarding Debarment, Suspension and Other Responsibility Matters; and
6. Certification Regarding Lobbying.

APPLICATION FORM AND SCHEDULE OF BUILDINGS PROPOSED FOR ASSISTANCE

Property Owner's Legal Name: _____

Address: _____

Contact Name and Telephone Number: _____

Employer Identification Number: _____

1. OWNERSHIP

A. Property Owner: _____

Entity Type: _____

Mailing Address: _____

Telephone: _____

B. Site Control

(Please check the appropriate response and attach one of the following documents as evidence of site control).

_____ Deed _____ Contract of Sale _____ Option to Purchase

_____ Pre-Lease Agreement _____ Long-term Lease Agreement

Property Address: _____

C. Does the proposed new construction or substantial rehabilitation comply with local zoning and building codes?

Yes _____ No _____ If no, please explain:

2. BUILDING CHARACTERISTICS

If submission includes more than one building, complete this section for each.

Type of Building: _____

Number of Stories: _____

Available Parking: _____ Off-Street _____ On-Street _____

Units to to Receive Project Based Assistance:

1-Bedroom _____

2-Bedroom _____

3-Bedroom _____

4-Bedroom _____

Other (describe) _____

Amenities and Services:

Total Number of Units in Building to Receive Project Based Assistance: _____

Total Number of Units in Building: _____

Are the units proposed for participation in the PBV program equal to or less than 25 percent of the total units in the building? _____

If no, are the Units:

(a) Excepted units in a multifamily building because they are specifically made available for elderly families or families receiving supportive services (also known as qualifying families)?

_____ If yes, please explain the type of excepted unit and how many such excepted units?

(b) Located in a single-family dwelling (defined as 1–4 family dwellings per building)? _____

(c) Otherwise permitted to exceed the 25% per building cap pursuant to the U.S. Housing Opportunities Through Modernization Act of 2016, as implemented by the U.S. Department of Housing and Urban Development? _____ If yes, please explain the reasoning

3. GENERAL LIVING QUALITY

Please provide detailed information about proximity to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services, either on site or off-site.

[Remainder of page intentionally left blank.]

CERTIFICATION OF PREVIOUS COMPLIANCE WITH FAIR HOUSING AND CIVIL RIGHTS LAWS ASSISTANCE

Property Owner's Legal Name: _____

Address: _____

Contact Name and Telephone Number: _____

Employer Identification Number: _____

This is to certify that the above named property owner, its directors, and employees are in full compliance with all Fair Housing and civil rights laws, statutes, regulations and executive orders as enumerated in 24 CFR 5.105(a).

The above named property owner, its directors, and employees also understand that they will not be eligible for consideration as an applicant for assistance for existing units under the PBV program if any one of the following is true —

- Has been charged with a systemic violation of the Fair Housing Act by HUD alleging ongoing discrimination;
- Is a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging an ongoing pattern or practice of discrimination; or
- Has received a letter of noncompliance findings under Title VI, Section 504, or Section 109.

Additionally, the above named property owner, its directors, and employees also understand that DBHA will not rate and rank an application if the charge, lawsuit, or letter of findings has not been resolved to the satisfaction of DBHA before the application deadline stated in the Request for Applications or Qualifications for Assistance Under the Section 8 Project-Based Voucher Program for Substantial Rehabilitation or New Construction Housing Units. DBHA's decision regarding whether a charge, lawsuit, or a letter of findings has been satisfactorily resolved will be based upon whether appropriate actions have been taken to address allegations of ongoing discrimination in the policies or practices involved in the charge, lawsuit, or letter of findings.

TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT.

Signature

Name of Owner or Authorized Agent

Date

CERTIFICATION OF ELIGIBILITY FOR PARTICIPATION IN FEDERAL AND DBHA PROGRAMS

Property Owner's Legal Name: _____

Address: _____

Contact Name and Telephone Number: _____

Employer Identification Number: _____

This is to certify that the above named property owner, its directors, and employees have not had participation in Federal programs limited; have not been debarred from participation in Federal programs; have not been charged with fraud or abuse of a Section 8 program; is not a defendant in a fraud or abuse lawsuit filed by the Department of Justice, HUD or DBHA alleging fraud or abuse; or have not received a letter from the Department of Justice, HUD or DBHA alleging fraud or abuse in any Federally-funded program, and that the occurrence of such would render the property owner, its directors, and employees ineligible for consideration as an applicant for assistance for existing units under the PBV program.

Additionally, it is understood that DBHA will not rate and rank an application if the charge, lawsuit, or letter of findings has not been resolved to the satisfaction of DBHA before the application deadline stated in the Request for Applications or Qualifications for Assistance Under the Section 8 Project-Based Voucher Program for Substantial Rehabilitation or New Construction Housing Units. DBHA's decision regarding whether a charge, lawsuit, or a letter of findings has been satisfactorily resolved will be based upon whether appropriate actions have been taken to address allegations of fraud or abuse in the policies or practices involved in the charge, lawsuit, or letter of findings.

Definition of Fraud and/or Program Abuse

"Fraud" and "abuse" mean a single act or pattern of actions made with the intent to deceive or mislead, constituting a false statement, omission, or concealment of a substantive fact. Fraud and abuse result in the payment of housing choice voucher program funds in violation of program requirements.

TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT.

Signature

Name of Owner or Authorized Agent

Date

NON-COLLUSIVE AFFIDAVIT

State of: _____) s.s.

County of: _____)

_____being first duly sworn, deposes and says:

That he/she is _____ the party making the foregoing bid or proposal, that such bid or proposal is genuine and not collusive or sham; that said vendor has not colluded, conspired, connived, or agreed, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the proposal price or affiant of any other vendor, or to fix any overhead, profit or cost element of said proposal price, or of that of any other vendor, or to secure any advantage against Dania Beach Housing Authority or any person interested in the proposed contract; and that all statements in said proposal or proposal are true.

Signature of:

Applicant, if the vendor is an individual

Partner, if the vendor is a Partnership

Officer, if the vendor is a Corporation

Subscribed and sworn to before me this _____ day of _____

MY COMMISSION EXPIRES _____, 20__

CERTIFICATE OF NON-ORGANIZATIONAL CONFLICT OF INTEREST

Property Owner's Legal Name: _____

Address: _____

Contact Name and Telephone Number: _____

Employer Identification Number: _____

The applicant certifies that to the best of its knowledge and belief and except as otherwise disclosed, he or she does not have any organizational conflict of interest which is defined as a situation in which the nature of work to be performed under this proposed contract and the applicant's organizational, financial, contractual, or other interests may, without some restriction on future activities:

- (a) Result in an unfair competitive advantage to the applicant; or,
- (b) Impair the applicant's objectivity in performing the contract work.

In the absence of any actual or apparent conflict, I hereby certify that to the best of my knowledge and belief, no actual or apparent conflict of interest exists with regard to my possible performance of this procurement.

Signature

Name of Owner or Authorized Agent

Date

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

Property Owner's Legal Name: _____

Address: _____

Contact Name and Telephone Number: _____

Employer Identification Number: _____

1. The applicant certifies that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
2. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

Signature

Name of Owner or Authorized Agent

Date

CERTIFICATION REGARDING LOBBYING

Property Owner's Legal Name: _____

Address: _____

Contact Name and Telephone Number: _____

Employer Identification Number: _____

The applicant and its principals certify that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, or any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclosure accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

Signature

Name of Owner or Authorized Agent

Date

ATTACHMENT A
DBHA HOUSING ASSISTANCE PAYMENTS CONTRACT FORM

(See Attached.)