

**SOUTH PORTLAND HOUSING AUTHORITY
REQUEST FOR PROPOSALS
(RFP# PBV2023-02)**

**Project-Based Vouchers
For the Creation of Permanent Affordable Housing**

1. Overview and Purpose

South Portland Housing Authority (SPHA) administers federal housing choice vouchers designed to enhance the affordability of rental housing for low-income persons and/or families within the PHA's area of operation. Under Federal law and regulation, local Public Housing Authorities may project-base up to 20% of their vouchers for projects meeting program guidelines. Under HOTMA a PHA may project-base an additional 10% of its ACC authorized units above the 20% program limit, provided the additional units fall into one of the eligible exception categories prescribed by HUD. South Portland Housing Authority has set aside a portion of its vouchers for use as project-based assistance and with this RFP plan to continue this practice. At the direction of the Board of Commissioners, the SPHA will solicit proposals for the creation of new affordable housing available to households at or below 50% of Area Median Income (AMI). Any successful proposals will be awarded Project-Based Vouchers under the 10% PBV Program Limitation exception category as eligible units within a census tract with a poverty rate of 20% or less.

This RFP outlines the submission requirements and selection criteria for these proposals.

All proposals must be received by the South Portland Housing Authority no later than 4:00 pm, Monday, January 15, 2024. Proposals must be placed unfolded in a sealed package addressed to:

South Portland Housing Authority
Attn: Leanna Bruce, Director of Housing Programs
100 Waterman Drive, Suite 101
South Portland, ME 04106

The package exterior must clearly denote the above noted RFP number and must include the proposer's name and return address. Proposals may be mailed or hand-delivered to SPHA and placed in drop-box within the main entrance of the administrative office. Proposals received after the published deadline will not be accepted.

Questions regarding this program or proposal should be addressed to Leanna Bruce, Director of Housing Programs, South Portland Housing Authority.
(e-mail lbruce@spha.net) Phone number: (207) 773-4140 ext. 231.

2. General Description

- Under this RFP, SPHA plans to award project-based vouchers to one new construction project developed pursuant to an agreement for use in the PBV program. Selection will be based on a point system.
- SPHA reserves the right to award multiple projects, if in SPHA's opinion, additional awards would offer greater value for the service area. SPHA reserves the right to make such decision at any time during the RFP process, meaning SPHA could initially make award to one project only, then, at any time during the RFP process, decide to make an additional award(s) if SPHA decides such is in its best interests to do so.
- SPHA intends to enter into housing assistance payment contracts (HAP) with owners of selected projects to provide project-based voucher assistance in compliance with South Portland Housing Authority's Administrative Plan and consistent with the goals of deconcentrating poverty and expanding housing and economic opportunities for designated rental units for a term of up to twenty years subject to funding availability. Housing assistance subsidies will be provided while eligible families occupy the rental housing units and the units meet program standards. SPHA will refer families from its program waiting list to the project owner in order to fill vacant units. SPHA will establish and manage separate waiting lists for individual projects or buildings that are receiving PBV assistance. SPHA may combine PBV waitlists for projects that have the same selection criteria and are owned/managed by the same entity. SPHA's published subsidy standards will determine the appropriate unit size for the family size and composition.
- SPHA anticipates awarding successful projects for a twenty (20) year period, with options to renew for up-to an additional twenty (20) years, at SPHA's sole discretion.
- No more than 25% of the units in a project may receive project-based rental assistance, except as provided by regulation. Notwithstanding this provision, exceptions to the 25% cap include units in a building that are specifically made available for families that are elderly/disabled, or where supportive services are available to all families receiving PBV assistance in the project, or if the project is located in a census tract with a poverty rate of 20% or less. Single-family buildings with four or less units are also exempt from this cap.
- Under the PBV regulations, Project-Based Vouchers can be attached to Agency-owned units, however, all proposals submitted for Agency-owned units must be approved by HUD, or an independent entity approved by HUD.

3. Project Qualifications

For the reasons described above, SPHA is accepting proposals from qualified property owners and developers to participate in the Project-Based Voucher (PBV) Program. Interested parties may submit proposals for projects that meet the following:

- Project Type/Location: New Construction projects that create new affordable housing within the City of South Portland, Maine may submit a proposal.
- Census Tract: In order to deconcentrate low-income housing in the City of South Portland, SPHA is seeking proposals for projects with units located in Census Tract 30.01. This census tract has a poverty rate of 20 percent or less, as determined in the most recent American Community Survey 5-Year Estimates.
- Number of PBV's Requested: Proposals cannot be for less than 9 PBVs and not more than 25 PBVs.
- Target Population: Units must be specifically made available to one of the following populations: very-low income near-elderly (55 and older) OR very-low income elderly (62 and older).

4. Submission Requirements and Selection Criteria.

Applications must be submitted in accordance with the requirements below, on 8 ½" x 11" paper. Each section is restricted to a maximum number of pages, as indicated below, and should be labelled accordingly.

SPHA will rank applications using the following scoring system. The points identified reflect the maximum that can be awarded to each criterion. Before being scored, the applications will be reviewed for completeness and accuracy. South Portland Housing Authority reserves the right to reject any proposal that is incomplete or that does not meet the requirements of this RFP, including but not necessarily limited to those that fail to meet Project Qualifications identified above, incomplete proposals and/or proposers offering alternate or non-requested services. The project(s) that SPHA, in its sole discretion, deems feasible will be scored. Each part of the application will be scored separately. The number of points available for each part is indicated below.

Proposals must be in accordance with HUD 24 CFR 983 program requirements and consist of the following parts:

A. Project Summary (2 page maximum, 50 points). Provide up to a two-page overview of the applicant and the project.

Summary must include the following:

- The name of the project;
- The location of the project by address;
- Indicate whether the project is PHA-owned? *If PHA-owned, please provide clarification of ownership structure, including whether the PHA established a separate legal entity to serve as the owner.*
- Name and address of legal owner/entity with whom HAP Contract will be established;

- Total number of buildings in the project;
- Number of units by bedroom size and square footage;
- Indication as to whether this is a new construction project and the date in which construction is anticipated to commence;
- Identify the Census Tract of the property and whether the location of units fall within a census tract with a poverty rate of 20% or less;
- Number of PBV units requested for the project;
- Target population for project and PBV units;
- Other relevant information including timeline for completion.

B. Priority and Relative Need. (1 page maximum, 10 points). Priority populations for assistance under this RFP include very-low income near-elderly (55+) or elderly (62+) households. Describe in detail the nature of the targeted group's unmet needs, and how this proposal will help meet that need.

C. Organizational and Management Capacity (3 pages maximum, excluding financials, 30 points). Provide the property management agent name and address. Include information to document/demonstrate agent's financial, staffing and managerial capacity to facilitate and coordinate all facets of this project. Describe agent's experience and management of housing for the population you wish to serve including experience with the tenant based and project-based voucher program and providing supportive services to the project's target population. Proposals from organizations that demonstrate previous experience with Project Based Vouchers (PBVs) will receive a higher score in this category.

D. Supportive Services (3 pages maximum, 10 points). Please describe the plan for any supportive services that will be provided for households in this project. Projects with a Resident Services Coordinator will receive a higher score in this category.

E. Building and Site Characteristics of the Project (3 pages maximum, excluding site plan/elevations/floor plan, 30 points). Please provide the site plan, elevations and floor plans along with a maximum 3 page narrative that describes the buildings and site characteristics, and specifies how the site meets the following requirements of 24 CFR § 983.57:

- The selected project-site must be consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities.
- The site of the project must not: (i) Exclude qualified individuals with handicaps from, deny them the benefits of, or otherwise subject them to discrimination under, any program or activity that receives Federal financial assistance from the Department, or (ii) Defeat or substantially impair the accomplishment of the objectives of the program or activity with respect to qualified individuals with handicaps.
- The site and neighborhood may not be subject to serious adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank back-ups or sewage hazards; mudslides;

abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.

- 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.
- The site must not be located in an area of minority concentration, except as permitted under 24 CFR § 983.57 paragraph (e)(3), 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.
- The site must promote greater choice of housing opportunities and avoids undue concentration of assisted persons in areas containing a high proportion of low-income persons.
- 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.
- The housing 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. *Please include a list of services/amenities available within close proximity to the project. Be sure to provide distance to services/amenities. (i.e. a bus stop with the distance measured as the shortest available path along an ADA-accessible sidewalk route; shopping/grocery; pharmacy; employment opportunities; public recreation or civic facilities; hospitals/medical clinic or doctor's office; public schools or childcare facilities. etc.)*
- Except for new construction, housing designed for elderly persons, 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, must not be excessive.
- Other characteristics of the site.

F. Form HUD-5369-C & Conflict of Interest Statement (5 points).

Submit attached Form HUD-5369-C, Certifications and Representations of Offerors.

Include a Conflict of Interest statement. This statement must:

- Disclose any possible conflict of interest by any of these parties with respect to South Portland Housing Authority or U. S. Department of Housing and Urban Development (HUD) programs.
- Describe the identity of the owner of the proposed project and other project principals and the names of officers and principal members, shareholders, investors, and other parties having a substantial interest; and
- Certify 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.

G. Subsidy Layering Review (5 points). The owner must disclose all HUD and/or other Federal, State, or local governmental assistance committed to the project, as well as other governmental assistance, such as tax concessions or tax credits that will be used for the proposed project-based units for acquisition, development or operation. The owner must further certify that the project has not received and will not receive (before or during the term of the HAP contract) any public assistance for acquisition, development, or operation of the housing other than assistance disclosed in the subsidy layer review in accordance with HUD requirements. The SPHA will use this information to complete the subsidy layering review, which must be approved by HUD prior to entering into an agreement with the owner. This review is conducted to prevent excessive public assistance for the housing.

I. PBV Project Eligibility Disclosure and Certifications (5 points). The owner must complete the PBV Project Eligibility Disclosure and Certifications attachment, which will be used by South Portland Housing Authority to determine whether the project is meets basic eligibility requirements to receive project-based vouchers in accordance with HUD regulations.

5. General Information and Instructions:

- **Program Rules and Regulations:** All applications must meet the rules and regulations of the Section 8 Program as noted in 24 CFR Part 982 Section 8 Tenant-Based Voucher Program, 24 CFR 983 Project-Based Voucher (PBV) Program, PIH Notice 2017-21 and the South Portland Housing Authority Administrative Plan.
- **Reservation of Rights:** South Portland Housing Authority reserves the right, at its sole discretion, to award all, a portion, or none of the available vouchers under this application, as well as reject any and all applications based on the quality and merits of the applications received, or when it is determined to be in the public interest to do so. South Portland Housing Authority reserves the right to substantiate any proposers' qualifications, capability to perform, availability and past performance records under Section 8 Housing Programs. Also, South Portland Housing Authority may extend deadlines and timeframes, as needed.
- **Confidentiality:** Applications received by South Portland Housing Authority shall become a matter of public record subject to public inspection, except to the extent, which an applicant designates in writing, proprietary data to be confidential and submits that data under separate cover, such information may be held from public inspection, as provided in Maine law: 5 MRSA Sections 13119-A and 13119-B.
- **Compliance with Federal Law:** The selected applicant will be required to certify that the development and management of the proposed housing will be in compliance with all applicable laws, executive orders, OMB Circulars and federal regulations, including but not limited to: Fair Housing Act, Equal Opportunity and Non-discrimination, National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act, the Davis-Bacon Act, the Lead-Based Paint Poisoning Prevention

Act, Flood Disaster Protection Act, Conflict of Interest, Contractor Debarment and Cost Principles.

- **Equal Employment Opportunities:** Vendors must comply fully with the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998, as amended (WIA, 29 CFR part 37); the Nontraditional Employment for Women Act of 1991; title VI of the Civil Rights Act of 1964, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR part 37.

Questions regarding this program or proposal should be addressed to Leanna Bruce, Director of Housing Programs, South Portland Housing Authority (e-mail lbruce@spha.net) Phone number: (207) 773-4140 ext. 231.

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PBV Project Eligibility Disclosure and Certifications

- Are the units proposed to be project-based one of the ineligible types listed at 24 CFR § 982.53(a)? **YES** **NO**
- Are the units proposed to be project-based owner-occupied (except cooperative housing) or occupied by ineligible families [24 CFR § 983.53(b)-(c)]? **YES** **NO**
- Are the units proposed to be project-based one of the subsidized housing types listed at 24CFR § 983.54? **YES** **NO**
- Percentage of units in project that are proposed to be project-based [24 CFR § 983.56]? _____
Total Number of Housing Units in Project: _____
Number of proposed Project-Based Voucher Units in Project: _____
- Is the proposed PBV site consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities [24 CFR § 983.57(b)]? **YES** **NO**
- Does the site meet site and neighborhood standards [24 CFR § 983.57(d)-(e)]? **YES** **NO**
- Will the project have broadband infrastructure available to all units [24 CFR §983.157]? **YES** **NO**
- The project owner/developer certifies that the project will comply with program accessibility requirements of section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8. **YES** **NO**
- The project owner/developer certifies that the design and construction will comply with the requirements of the Fair Housing Amendments Act of 1988 and implementing regulations at 24 CFR 100.205, as applicable. **YES** **NO**
- The project owner/developer certifies that the project will comply with Section 3 of the Housing and Urban Development Act of 1968 and the implementing regulations at 24 CFR part 135. **YES** **NO**
- The project owner/developer certifies that the project will comply with federal equal employment opportunity requirements of Executive Orders 11246 as amended, 11625, 12432 and 12138. **YES** **NO**
- The project owner/developer certifies that no construction (including excavation or site preparation) will commence after proposal submission and prior to a signed Agreement to Enter into a Housing Assistance Payment Contract. **YES** **NO**
- The project owner/developer certifies that in the case of an Agreement of nine or more contract units (whether or not completed in stages), the owner and the owner’s contractors and subcontractors will comply with Davis-Bacon wage requirements. **YES** **NO**

Printed Name

Signature

Company

Date