

**REQUEST FOR PROPOSALS (RFP) NO. 2022-101  
HOUSING CHOICE VOUCHER PROGRAM PROJECT BASED VOUCHERS**

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**REQUEST FOR PROPOSALS (RFP)  
HOUSING CHOICE VOUCHER PROGRAM  
PROJECT BASED VOUCHERS**

**RFP NO. 2022-101**

**Housing Authority of the County of Riverside (HACR)  
3403 Tenth St, Suite 300  
Riverside, CA 92501**

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**INTRODUCTION**

The Housing Authority of the County of Riverside (hereinafter, "HACR") is a public entity that was formed in 1942 to provide federally subsidized housing and housing assistance to low-income families within the County of Riverside. The HACR is headed by an Executive Director (ED) and is governed by a five-person Board of Commissioners and is subject to the requirements of Title 24 of the Code of Federal Regulations (hereinafter, "CFR"), Housing Authorities Law (Part 2 of Division 24 of the California Health and Safety Code commencing with Section 34200 et seq.) and the HACR's procurement policy.

Currently, the HACR maintains an inventory of 17 revenue bond-financed rental housing units, and 77 farm worker apartment units. The HACR also administers approximately 9,821 Tenant-Based Section 8 Vouchers, 1,025 Project-Based Section 8 Vouchers, 122 Shelter-Plus Care Vouchers, 135 Housing Opportunities for Persons with AIDS (HOPWA) units, and 301 Family Self Sufficiency (FSS) participants. The HACR currently has approximately 114 employees.

The HACR is a committed partner in the community's effort to revitalize neighborhoods and foster economic development, as well as to provide quality, affordable housing.

The HACR is now soliciting proposals from qualified affordable housing developers to submit a written proposal demonstrating their project eligibility, qualifications and interest in securing Project-Based Vouchers (hereinafter, "PBV") for new construction projects applying for funding such as California Department of Housing and Community Development in the County of Riverside that are consistent with the HACR's Project Based Voucher selection policies. Projects must show that they have a commitment or intend to apply for funding sources at the federal and state level by 2023 and close construction financing by 2024. Funding sources eligible under this priority must seek funds that are NOT administered at the local level (i.e. HOME). Examples of funding sources eligible under this priority include but are not limited to: state HOME funds, Affordable Housing and Sustainable Communities funds, Veterans Housing Homeless Prevention funds, Multifamily Housing Program, No Place Like Home, Transit Oriented Development Program, and Infill Infrastructure Grant Program.

The HACR is soliciting up to 250 vouchers to qualified property owners. The HACR may award more than one proposal through this RFP. However, no more than 250 combined vouchers will be awarded.

HACR will offer property owners of selected quality affordable housing, an allocation of vouchers that can be committed to their designated rental units. Owners will gain the benefit of a twenty (20) year contract with HACR ensuring a Section 8 approved rent for their properties for an extended period of time. Eligible families who are extremely and very low-income (households at 30% to 50% Area Median Income (AMI) or below) will gain the benefit of quality affordable housing.

All proposals submitted in response to this solicitation must conform to all of the required specifications outlined within this document and any designated attachments in its entirety.

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**RFP INFORMATION AT A GLANCE**

HACR CONTACT PERSON:	Nicole Sanchez, Development Specialist Email: NiSanchez@Rivco.org Phone: (760) 863-2825 Fax: (951) 352-4852
HOW TO OBTAIN THE RFP DOCUMENTS:	Online at: <a href="http://www.harivco.org">www.harivco.org</a> -OR-  via e-mail from the person listed above.
DEADLINES FOR SUBMITTING QUESTIONS AND REQUEST FOR INTERPRETATIONS: (RFIs), <u>INCLUDING ANY MODIFICATIONS TO HACR CONTRACT LANGUAGE OR TO THE SPECIFICATIONS:</u>	<b>April 5, 2022 at 5:00 PM.</b>
HOW TO FULLY RESPOND TO THIS RFP BY SUBMITTING A PROPOSAL :	Per instructions within Section 3.0 of this RFP document, submit <b>one (1) original electronic proposal on a USB flash drive.</b>
PROPOSAL SUBMITTAL RETURN LOCATION AND DEADLINE:	<b>April 28, 2022 at 5:00 PM.</b> 3403 Tenth St, Suite 300 Riverside, CA 92501 (Proposals shall be physically delivered or mailed to the Housing Authority of the County of Riverside (HACR), on the 3rd Floor of Riverside Centre Administrative Building located at 3403 Tenth St, Suite 300, Riverside, CA 92501. <b>Attn: Nicole Sanchez</b> )

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**1.0 HACR'S RESERVATION OF RIGHTS:**

- 1.1 Right to Reject, Waive, or Terminate the RFP.** The HACR reserves the right to reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, in its sole and absolute discretion, if deemed by the HACR to be in its best interests.
- 1.2 Right to Not Award.** The HACR reserves the right not to award a contract pursuant to this RFP.
- 1.3 Right to Terminate.** The HACR reserves the right to terminate a contract awarded pursuant to this RFP, at any time for its convenience upon 5 business days written notice to the successful proposer(s).
- 1.4 Right to Deny Request for Extension.** The HACR reserves the right to deny a request for award extension for a project that has not started construction within 2 years of the original Project Based Voucher award.
- 1.5 Right to Determine Time and Location.** The HACR reserves the right to determine the days, hours and locations that the successful proposer(s) shall provide the services called for in this RFP.
- 1.6 Right to Determine Financial Responsibility and Viability.** The HACR reserves the right to require of proposer information regarding financial responsibility and viability or such other information as the HACR determines is necessary to ascertain whether a proposal is in fact the lowest responsive and responsible proposal submitted.
- 1.7 Right to Retain Written Proposals.** The HACR reserves the right to retain all written proposals submitted to HACR by all proposers in response to this RFP, and not permit the withdrawal of same for a period of 60 calendar days subsequent to the deadline for receiving said proposals. The HACR may permit the withdrawal of proposals if requested in writing by the proposer and such request is approved in writing by the HACR Contracting Officer (CO) in his/her sole and absolute discretion.
- 1.8 Right to Negotiate Fees.** The HACR reserves the right to negotiate the fees proposed by the proposer entity.
- 1.9 Right to Reject Any Proposal.** The HACR reserves the right to reject and not consider any proposal that does not meet the requirements of this RFP, including but not limited to incomplete proposals and/or proposals offering alternate or non-requested services.
- 1.10 No Obligation to Compensate.** The HACR shall have no obligation to compensate any proposer for any costs incurred in responding to this RFP.
- 1.11 Right to Amend Prior to Award.** HACR reserves the right to, prior to award, revise, change, alter or amend any of the instructions, terms, conditions, and/or specifications identified within the IFB documents issued, within any attachment or drawing, or within any addenda issued. All addenda will be posted on the Housing Authority of the County of Riverside's website which is affiliated with HACR at [www.harivco.org](http://www.harivco.org). Such changes that are issued before the bid submission deadline shall be binding upon all prospective bidders. HACR reserves the right to amend the contract any time prior to contract execution.

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**1.12 Public Disclosure of Proposal Documents.** To the extent applicable, documents submitted in connection with this RFP may be subject to disclosure pursuant to the California Public Records Act.

**2.0 GENERAL/TECHNICAL SPECIFICATIONS:**

**2.1 Purpose:** The purpose of the PBV Program is to encourage property owners to assign PBV assistance to their rental properties in order to preserve and increase the number of housing units available to low and extremely low-income residents.

**2.2**

**2.3 Funding:** Funding for this PBV assistance comes from a set-aside from the U.S. Department of Housing and Urban Development's Housing Choice Voucher Program funded under Section 8 of the Housing Act of 1937 (42.U.S.C. 1437) (Section 8).

**2.4 Description of PBV Program:** Under this PBV Program, HACR will provide assistance to new construction housing developments (as defined by HUD pursuant to the PBV program regulations in 24 CFR Part 983) willing to designate a portion of their units to households that qualify for the Section 8 Housing Choice Voucher Program. For the purpose of this program, HACR will accept proposals for projects that are consistent with the HACR established project based voucher priority below:

**2.4.1** Attract more affordable developments within the County of Riverside.

**2.4.2** Leverage Project Based Vouchers with other funding sources. Projects under this priority must show that they have a commitment or intend to apply for funding sources at the federal and state level by 2023 and close construction financing by 2024. Otherwise, voucher award under this RFP will automatically be rescinded. Funding sources eligible under this priority must seek funds that are NOT administered at the local level (i.e. HOME). Examples of funding sources eligible under this priority include but are not limited to: state HOME funds, Affordable Housing and Sustainable Communities funds, Veterans Housing Homeless Prevention funds, Multifamily Housing Program, No Place Like Home, Transit Oriented Development Program, and Infill Infrastructure Grant Program .

**2.4.3** Preserve affordable housing that might otherwise become market-rate units

**2.4.4** Increase affordability of housing for families at or below 50% of the area median income.

**2.5 Occupancy and Vacancy of PBV Units:** Project-based units must be leased to families eligible for Section 8 assistance for the term of the Housing Assistance Payments (HAP) contract. Vacancies will be filled using eligible clients on the HACR site specific Section 8 PBV waiting list. The property owner and tenant of a PBV unit must notify HACR in writing immediately if a tenant will be moving from a PBV unit. The HACR will refer appropriately sized households at the top of the waiting list. Once a tenant is approved by the property owner, the property owner must refer the family back to HACR for final voucher eligibility. A tenant who resides in a PBV unit for a least

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one year may move with continued rental assistance with a tenant-based voucher, if one is available. The PBV unit the family occupies must then be rented to a new eligible Section 8 tenant selected from the HACR site specific Section 8 PBV waiting list. In the event that a household should be over housed the developer/owner must relocate the household to the appropriate unit size. Should a unit not be available the HACR will issue the household a tenant based voucher and fill the vacant unit with an eligible tenant from the Section 8 PBV waiting list.

- 2.6 Ineligible Units:** Certain special housing types are NOT eligible for PBV assistance. These include transitional housing, owner-occupied units, shared housing, public housing, Section 202 Housing, Section 236 housing (exception made for units subsidized with Section 236 interest reduction payments) and units occupied by families who are not eligible for participation in the Section 8 Housing Choice Voucher program. **Please see 24 CFR 983.53 and 24 CFR 983.54 for a complete list of ineligible properties.**
- 2.7 Rent Limits:** The gross rent (including utility allowance) may not exceed the Housing Authority Payment Standard for both initial rent and annual adjustments and must be rent reasonable in relation to rents charged in the private market for comparable unassisted units. Projects utilizing Low Income Housing Tax Credits (LIHTC) have additional requirements for calculating rent amounts; however, projects eligible under this RFP must comply with conditions that allow the rent to be calculated in accordance with the listed standards.

**HACR Voucher Payment Standards (effective 3/1/2021)**

<b>Bedrooms</b>	<b>Payment Standard</b>
0	\$1,050
1	\$1,216
2	\$1,529
3	\$1,917
4	\$2,369
5	\$2,724
6	\$3,080

\*Final rents are subject to confirmation of actual rents paid in housing market where project is located. A rent reasonable study will be prepared by Housing Authority staff.

- 2.8 Federal Requirements:** Certain other Federal requirements also apply to PBV assistance, including, but not limited to:
- 2.8.1 Fair Housing.** Nondiscrimination and equal opportunity. See 24 CFR 5.105(a), 24 CFR 983.8 and section 504 of the Rehabilitation Act.
  - 2.8.2 Environmental Review.** See 24 CFR parts 50 and 58 and 24 CFR Section 983.58
  - 2.8.3 Debarment.** Prohibition on use of debarred, suspended, or ineligible contractors. See 24 CFR 5.105(c) and 2 CFR Part 2424.

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- 2.8.4** Labor Standards. Regulations implementing the Davis-Bacon Act, Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708), 29 CFR part 5, and other federal laws and regulations pertaining to labor standards applicable to an agreement to enter into HAP contract covering nine or more assisted units.
- 2.8.5** Uniform Relocation Act. A displaced person must be provided relocation assistance at the levels described in and in accordance with the requirements of the Uniform Relocation Assistance and Rental Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 4201-4655) and implementing regulations at 49 CFR part 24. See 24 CFR Section 983.7.
- 2.8.6** See 24 CFR Section 983.4 for a comprehensive list of applicable Federal requirements. A copy of these regulations is available on the website at [www.ecfr.gov](http://www.ecfr.gov)

**Number of Available PBV Units:** HACR will award a maximum of 250 PBVs. HACR reserves the right to award all 250 PBVs.

**2.9 Limits on Assistance:** The Housing Authority may provide project base voucher assistance to up to 25% of the units in a selected project. Units excepted from this rule are:

- 2.9.1** Permanent Supportive Housing developments that that house elderly or disabled families
  - 2.9.1.1** An “elderly” household means a family whose head, spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides. (24 CFR 5.403)
- 2.9.2** Families eligible to receive qualified wrap around permanent supportive services shall be made available to tenants based on tenants needs. Available mental health services shall be provided directly by the County or through a subcontracted lead service provider. The County or County’s lead service provider for the Project shall coordinate the provisions of or referral to services needed by individual tenants, including but not limited to, substance use treatment services, for a minimum of 20 years. Except as otherwise noted below, the following required services can be provided onsite at a Project of offsite at another location easily accessible to tenants which include but are not limited to:
  - 2.9.2.1** Case management;
  - 2.9.2.2** Peer support activities;
  - 2.9.2.3** Mental health care, such as assessments, crisis counseling, individual and group therapy, and peer support groups;
  - 2.9.2.4** Substance use services, such as treatment, relapse prevention, and peer support groups;
  - 2.9.2.5** Support in linking to physical care, including access to routing and preventative health and dental care, medication management, and wellness services;

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**2.9.2.6** Benefits counseling and advocacy, including assistance in accessing SSI/SSP, enrolling in Medi-Cal;

**2.9.2.7** Basic housing retention skills (such as Unit maintenance and upkeep, cooking, laundry, and money management);

**2.9.2.8** Job training or placement services

**2.9.2.9** Education program where there is a reasonable exception of leading to self-sufficiency

**2.10 Project Eligibility:** In order to be considered under this RFP, all projects submitted must meet the conditions stated below:

**2.10.1** Proposed project must be located in the County of Riverside

**2.10.2** Proposed project may request up to 25% units in the proposed project

**2.10.3** Proposed project must be a planned new construction. (see 24 CFR Part 983.3 for definitions).

**2.10.4** Construction for the proposed project must not have started at a time of selection for PBV (and cannot start until all post-award conditions are met and an Agreement to enter into an Agreement to enter into Housing Assistance Payments (AHAP) contract is signed).

**2.10.5** Proposed project must be located in a census tract with a poverty rate of no more than 20%. An exception to this requirement is possible if certain other conditions exist, i.e., there has been an overall decline in poverty rate over the past five years; the area is undergoing significant revitalization; new market rate units are being developed that would positively impact the poverty rate; and other conditions. Poverty rate, minority concentration and other characteristics of the neighborhood and census tract where the project is/will be located may apply. (See 24 CFR Section 983.57 Site Selection Standards.)

**2.10.6** Proposer must have site control or evidence to indicate that the needed approval/documentation for site control is likely to be obtained and will not delay the project.

**2.10.7** Proposer must provide evidence that the proposed new construction is permitted by current zoning ordinances or regulations, or evidence to indicate that the needed rezoning is likely to be obtained and will not delay the project. Proposer must demonstrate compliance with Section 2.4 of this RFP and demonstrate that they will be able to apply for funding this calendar year.

**2.10.8** Proposer must have completed and submitted to the HACR at the address listed below, a Form of Proposal conforming to the Project-based voucher form attached hereto as Attachment B and incorporated herein by this reference.

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**2.11 Project Limits:** Proposers are not limited on the number of projects they may submit for consideration under this RFP. However, each proposal must be for a single project. For each project submitted, the proposer must provide the number of PBV units requested and breakdown of unit size, including the breakdown of any accessible units by size. The HACR may only submit one (1) project proposal to HUD.

**2.12 Organization of Submitted Materials:** Proposers must submit one (1) original electronic proposal on a USB flash drive for the Evaluation committee. HACR will not accept submissions of application documents by email or over the internet. Attachments may be completed and signed using electronic format utilizing electronic signatures.

When compiling the flash drive, order folders according please refer to the following visual as a guide:

Name	Type	Size
Tab 1- Attachment B	File folder	
Tab 2- Project Description	File folder	
Tab 3- Project Readiness	File folder	
Tab 4- Deconcentration of Poverty	File folder	
Tab 5- CTCAC Opportunity Areas	File folder	

**2.13 Submittal Deadline:** HACR must receive proposals by 5pm, April 28, 2022. Proposals may be submitted by mail or hand delivered to: Housing Authority of the County of Riverside, 3403 Tenth St, Suite 300, Riverside, CA 92501, attention Nicole Sanchez. HACR will date and time stamp all proposals upon receipt. Proposals submitted after the deadline indicated above will not be accepted. Delays in mail service or other methods of delivery will not excuse a late proposal delivery.

**2.14 Proposal Review:** The Evaluation Committee appointed by HACR's Executive Director will review, evaluate, rank, and select the proposals according to the scoring criteria outlined in this RFP, HACR policy, and HUD program regulations.

**2.15 PBV Voucher Award:** Proposals that meet the program requirements outlined in Section 2.9 will be evaluated and ranked according to the rating and selection factors described in Attachment A of this RFP. A ranking list will be prepared according to points awarded to each proposal. The proposal scoring the highest points will be conditionally awarded project-based vouchers up to the amount requested and in accordance with the specified limits, pending HACR Board of Commissioner approval. HACR may, in its sole and absolute discretion, select none of the proposals submitted. HACR reserves the right to postpone or cancel the final award of the proposals at its convenience.

**2.16 Post Award Conditions:** The following items must be completed before the HACR and the successful proposer/property owner can execute an Agreement to enter into Housing Assistance Payments (AHAP) or Housing Assistance Payments (HAP) contracts:

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- 2.16.1** Site and Neighborhood Review. Before entering into a HAP contract, HACR will conduct an inspection of the proposed PBV site and units pursuant to 24 CFR Section 983.103. Site selection standards include but are not limited to, 1) An assessment of the physical attributes and appropriateness of the site for the proposed units; and 2) An assessment of whether the project is consistent with the goal of de-concentrating poverty and expanding housing and economic opportunities as stated in HACR's Administrative Plan. Owners/developers may be asked to submit additional information to help facilitate this site review.
- 2.16.2** Environmental Review. PBV activities are subject to HUD environmental regulations in 24 CFR parts 50 and 58. Applicant will be required to procure an environmental consultant to prepare the environmental assessment. HACR must obtain documentation of environmental assessment from the Applicant within 30 days from the award of the PBVs. Environmental clearance requires HACR review and approval by the County of Riverside Board of Supervisors.
- 2.16.3** Determination of Initial Contract Rent. HACR will determine the amount of initial rent to owner according to 24 CFR Section 983.303, paragraph (c). If the project is a HACR- affiliated property, the rent will be determined by an independent agency.
- 2.16.4** Subsidy Layering Review. New construction PBV projects that utilize tax credits or other governmental housing assistance from federal, state, or local agencies are subject to a subsidy layering review (24 CFR Section 983.55) to prevent excessive public assistance for the project. Owners/developers will be required to submit a Subsidy Layering Review request to the California Tax Credit Allocation Committee (CTCAC) for the review. If CTCAC is not able to perform the Subsidy Layering Review the HACR will submit the Subsidy Layering review request to HUD on behalf of the Owner. It is the sole responsibility of the proposer to ensure that they are in compliance with any subsidy layering requirements imposed upon the project from previous funding sources.
- 2.16.5** Reserved
- 2.16.6** All other reviews required pursuant to PBV regulations set forth in 24 CFR Part 983.
- 2.16.7** All costs for the subsidy layering review, environmental review, Davis Bacon monitoring and any and all other costs that may be associated with processing and approval of the proposal are the responsibility of the owner and shall not be paid by HACR.
- 2.17 Supportive Documents:** By signing the Form of Proposal form attached hereto as Attachment B, the proposer is affirming that they agree to provide any documentation requested by the HACR upon notification of award of PBVs to ensure compliance with HUD requirements. Proposers may be asked to submit additional information to help facilitate the proposal review. If the HACR finds that a proposal is non-responsive or non-compliant with this RFP, written selection criteria and/or procedures, or PBV

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program regulations, it will be rejected and returned to the proposer with notification stating the reason for rejection. The HACR reserves the right to reject proposals at any time for misinformation, errors, or omissions of any kind, no matter how far they have been processed, in its sole and absolute discretion.

- 2.18 Uniform Physical Conditions Standard-Voucher (UPCS-V):** On May 14, 2016, Federal Register Notices 81 FR 26759, HUD announced a new inspection and oversight approach called UPCS-V, which is the updated inspection standard of the Section 8 Housing Choice Voucher Program and Section 8 PBV Program. All PBV assisted units must meet UPCS-V requirements before rental assistance can commence. Upon satisfactory completion of a successful UPCS-V inspection, HACR and the successful proposer will enter into a Housing Assistance Payments (HAP) contract for specified units, for a term of up to 20 years. The HAP contract establishes the initial rents for the units and describes the responsibilities of HACR and the property owner. Rental assistance (which is based on each household's income) is provided while the units are occupied by eligible Section 8 tenants. HAP contract renewal after the initial term may occur at sole option of the HACR. All HAP contracts and subsequent renewals are contingent upon the future availability of appropriated HUD funds.
- 2.19 Mandatory HACR Contract Form:** By responding to this RFP and submitting a proposal, the proposer acknowledges and agrees that HACR will only execute agreements prepared by HACR which are substantially approved as to form and substance by HACR. As provided further within Section 5.0 herein, the HACR **WILL NOT** execute the successful proposer's contract form; the contract **WILL** be executed on the HACR's form only.

**3.0 PROPOSAL FORMAT:**

- 3.1 Form of Proposal Form:** Answer all questions on Attachment B. If any questions are left blank the proposal will be considered deficient and ineligible to compete in this RFP process. Questions may be answered on a separate sheet of paper as long as each question is numbered in consistency with Attachment B.

**Reserved**

Proposal Submission: **All proposals must be submitted and time-stamped received in the designated HACR office by no later than the submittal deadline stated herein (or within any ensuing addendum). In lieu of hard copy binders all proposals must be submitted electronically on a USB flash drive.** USB flash drives shall be placed in a sealed package and addressed to:

**Housing Authority of the County of Riverside (HACR)  
Attention: Nicole Sanchez, Development Specialist  
3403 Tenth St, Suite 300, Riverside, CA 92501**

The package exterior must clearly denote the following: **"RFP No. 2022-101 HUD-Project Based Voucher Program"** and must have the proposer's name, project and return address. Proposals received after the published deadline will not be accepted.

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Email delivery shall not be a substitute for or waive physical delivery of the proposal by the deadline.

- 3.4.1 Submission Conditions:** Proposers are not allowed to change any requirements or forms contained herein, either by making or entering onto these documents or the documents submitted any revisions or additions; and if any such additional marks, notations or requirements are entered on any of the documents that are submitted to the HACR by the proposer, such may invalidate that proposal. If, after accepting such a proposal, the HACR decides that any such entry has not changed the intent of the proposal that the HACR intended to receive, the HACR may accept the proposal and the proposal shall be considered by the HACR as if those additional marks, notations or requirements were not entered on such. By accessing the noted Internet System, [www.harivco.org](http://www.harivco.org) and downloading these documents, each prospective proposer that does so is thereby agreeing to confirm all notices that the HACR delivers to him/her as instructed, and by submitting a proposal, the proposer is thereby agreeing to abide by all terms and conditions published herein and by addendum pertaining to this RFP.
- 3.4.2 Submission Responsibilities:** It shall be the responsibility of each proposer to be aware of and to abide by all dates, times, conditions, requirements and specifications set forth within all applicable documents issued by the HACR, including but not limited to this RFP document, the documents listed within the following sections, and any addenda and required attachments submitted by the proposer. By virtue of completing, signing and submitting the completed documents, the proposer is stating his/her agreement to comply with all conditions and requirements set forth within those documents.
- 3.4.3 Proprietary Information:** To the extent not prohibited by applicable law, if a proposer does not desire certain proprietary information in their proposal to be disclosed, the proposer is required to identify all proprietary information in the proposal, which identification shall be submitted concurrently with the proposal. If the proposer fails to identify its proprietary information, it agrees by submission of its proposal that those sections shall be deemed non-proprietary and may be made available upon public request after a contract award. Notwithstanding anything to the contrary contained herein, any proposals and documents received in connection with this RFP may be subject to disclosure pursuant to the California Public Records Act (Government Code Section 6250 et seq.)
- 3.4.4 California Registration:** All proposers shall be validly registered with the California Secretary of State to conduct business in the State of California.
- 3.5 Proposer's Responsibilities--Contact with the HACR:** It is the responsibility of the proposer to address all communication and correspondence pertaining to this RFP process to the contact person only. Proposers must not make inquiry or communicate with any other HACR staff member or official (including members of the Board of Commissioners) pertaining to this RFP. Failure to abide by this requirement may be cause for the HACR to not consider a proposal submittal received from any proposer who may has not abided by this directive.

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**3.5.1 Addendums:** All questions and requests for information must be addressed in writing to the contact person. The contact person will respond to all such inquiries in writing by addendum to all prospective proposers (i.e. firms or individuals that have obtained the RFP Documents). During the RFP solicitation process, the contact person will NOT conduct any *ex parte* (a substantive conversation—"substantive" meaning, when decisions pertaining to the RFP are made—between the HACR and a prospective proposer when other prospective proposers are not present) conversations that may give one prospective proposer an advantage over other prospective proposers. This does not mean that prospective proposers may not call the contact person—it simply means that, other than making replies to direct the prospective proposer where his/her answer has already been issued within the solicitation documents, the contact person may not respond to the prospective proposer's inquiries but will direct him/her to submit such inquiry in writing so that the contact person may more fairly respond to all prospective proposers in writing by addendum.

**3.6 Recap of Attachments:** It is the responsibility of each proposer to verify that he/she has downloaded the following attachments pertaining to this RFP, which are hereby incorporated herein by this reference:

<b>Attachment</b>	<b>Attachment Description</b>
<b>A</b>	Summary of Factors and Points Value
<b>B</b>	Project Based Voucher Form of Proposal form

**4.0 PROPOSAL EVALUATION:**

**4.1 Evaluation Factors:** The factors and points allotted that are listed in Attachment A will be utilized by the HACR to evaluate each proposal submittal received; award of points for each listed factor will be based upon the documentation that the proposer submits within his/her proposal submittal as attached herein.

**4.2 Evaluation Method:**

**4.2.1 Initial Evaluation for Responsiveness:** Each proposal received will first be evaluated for responsiveness (e.g., meets the minimum of the published requirements). The HACR reserves the right to reject any proposals deemed by the HACR not minimally responsive (the HACR will notify such firms in writing of any such rejection).

**4.2.2 Evaluation Packet for Proposals Deemed Responsive:** Internally, an evaluation packet will be prepared for each evaluator, including the following documents:

**4.2.2.1** Instructions to Evaluators;

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- 4.2.2.2** Proposal Tabulation Form;
  - 4.2.2.3** Written Narrative Justification Form for each proposer;
  - 4.2.2.4** Recap of each proposer's responsiveness;
  - 4.2.2.5** Copy of all pertinent RFP documents.
- 4.2.3** **Evaluation Committee:** The HACR anticipates that it will select a minimum of a three-person committee to evaluate each of the responsive proposals submitted in response to this RFP. PLEASE NOTE: No proposer shall be informed at any time during or after the RFP process as to the identity of any evaluation committee member. If, by chance, a proposer does become aware of the identity of such person(s), he/she SHALL NOT make any attempt to contact or discuss with such person anything related to this RFP. As detailed within Section 3.5 of this document, the designated CO is the only person at the HACR that the proposers shall contact pertaining to this RFP. Failure to abide by this requirement may (and most likely will) cause such proposer(s) to be eliminated from consideration for award.
- 4.2.4** **Evaluation:** The selection criteria set forth in Attachment A, incorporated herein by this reference, will be used by the HACR to rank and select proposals for this Project-based voucher Program. Each criterion is comprised of several components with an associated point value. The total points awarded to a proposal will be the aggregate of the component subtotals for each factor. This selection provides both a summary and details of the factors and point values.
- 4.2.5** **Ties:** In the case of a tied score between two or more proposals, the following factor will be considered to determine the proposal to be scored highest: The project that scores the highest in project readiness points. For 9% projects, the tax credit tie-breaker will be taken into consideration. For 4% projects or other competitive funding, the project that demonstrates it can secure the competitive funding will be taken into consideration. For existing projects, the proposal offering the most comprehensive services to tenants and are able to demonstrate compliance with existing affordability requirements including maintaining the property in high standard and meeting all reporting requirements, will be taken into consideration.
- 4.2.6** **Notice of Results of Evaluation:** If a proposal is selected, all proposers will receive by e-mail a notification of successful award or a denial of proposal. Such notice shall also inform all proposers of the following:
- 4.2.7.1** Which proposers received the award;
  - 4.2.7.2** Where each proposer placed in the process as a result of the evaluation of the proposals received;
  - 4.2.7.3** The cost or financial offers received from each proposer;
  - 4.2.7.4** Each proposer's right to a debriefing and to protest.

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**4.2.7 Proposal Protest:** Any prospective or actual proposer, who is allegedly aggrieved in connection with the solicitation of a proposal or award of a contract, shall have the right to protest. To be eligible to file a protest with the HACR pertaining to an RFP or contract, the alleged aggrieved protestant must have been involved in the RFP process in some manner as a prospective proposer (i.e. registered, downloaded and received the RFP documents) when the alleged situation occurred. The alleged aggrieved protestant must file, in writing, to HACR the exact reason for the protest, attaching any supportive data. The protestant must state within the written protest document specifically (not by inference) what action by HACR or condition is being protested as inequitable, making, where appropriate specific reference to the RFP documents issued and including the specific citation of law, rule, regulation, or procedure upon which the protest is based. The protest document must also state the corrective action requested. Failure by the alleged aggrieved protestant to fully submit such information shall relieve HACR from any responsibility to take any corrective action, and as a result of noncompliance, the appeal will be dismissed without further review. The HACR has no obligation to consider a protest filed by any party that does not meet these criteria. Any protest against a solicitation must be received before the due date for the receipt of proposals, and any protest against the award of a contract must be received within ten (10) calendar days after the successful proposer receives notice of the contract award, or the protest will not be considered. All proposal protests shall be in writing, submitted to the Contracting Officer or designee, who shall issue a written decision on the matter. The Contracting Officer may, at his/her sole discretion, suspend the procurement pending resolution of the protest if the facts presented so warrant. All appeals shall be marked as follows and sent to the address listed below:

**APPEAL OF RFP NO. 2022-101**  
**Housing Authority of the County of Riverside (HACR)**  
**Attn: Nicole Sanchez, Development Specialist**  
**3403 Tenth St, Suite 300, CA 92501**

**4.2.8 Restrictions:** All persons having familial (including in-laws) and/or employment relationships (past or current) with principals and/or employees of a proposer entity will be excluded from participation on the HACR evaluation committee. Similarly, all persons having ownership interest in and/or contract with a proposer entity will be excluded from participation on the HACR evaluation committee.

**5.0 CONTRACT AWARD:**

**5.1 Contract Award Procedure:** If a contract is awarded pursuant to this RFP, the following detailed procedures will be followed:

**5.1.1** By completing, executing and submitting the Form of Proposal, (Attachment B), the proposer is thereby agreeing to “abide by all terms and conditions pertaining to this RFP as issued by the HACR, in hard copy, including an agreement to execute the standard HACR contract form.” Accordingly, the HACR has no responsibility to conduct after the submittal deadline any negotiations pertaining to the contract clauses contained therein; and in any

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case the HACR has no power or authority to negotiate any clauses contained within any attached HUD documents.

**5.1.2** Depending on the amount of the award, the HACR will forward the Contract to the HACR Board of Commissioners (BOC) for review and approval/disapproval, in their sole and absolute discretion, prior to signing the contract with the selected proposer.

**5.1.3** The contract shall be awarded subject to a resolution or minute order to that effect duly adopted by the HACR BOC, in their sole and absolute discretion. Execution of the contract documents shall constitute a written memorial thereof.

**5.2 Contract Conditions:** The following provisions are considered mandatory conditions of any contract award made by the HACR pursuant to this RFP:

**5.2.1 Contract Form:** The HACR will not execute a contract on the successful proposer's form--contracts will only be executed on the HACR form, and by submitting a proposal the successful proposer agrees to do so (please note that the HACR reserves the right to amend the HACR Contract form as the HACR deems necessary). **Please note that the HACR has no legal right or ability to (and will not) at any time negotiate any clauses contained within ANY of the HUD forms included as a part of this RFP.**

**5.3 Contract Period:** The contract award can be for a period of up to twenty (20) years.

**5.4 Licensing and Insurance Requirements (if applicable):** Prior to any individual contract award (but not as a part of the proposal submission) the *successful proposer* will be required to provide the following during the term of the contract if applicable:

**5.4.1 Insurance:** Without limiting or diminishing the proposer's obligation to indemnify or hold the HACR harmless, proposer shall procure and maintain or cause to be maintained, at its sole cost and expense, the following insurance coverages during the term of the Contract. As respects to the insurance section only, the HACR herein refers to the Housing Authority of the County of Riverside, the County of Riverside, its Agencies, Districts, Special Districts, and Departments, their respective directors, officers, Board of Supervisors, Board of Commissioners, employees, elected or appointed officials, agents or representatives as Additional Insureds.

**5.4.2 Workers' Compensation:** If the proposer has employees as defined by the State of California, the Proposer shall maintain statutory Workers' Compensation Insurance (Coverage A) as prescribed by the laws of the State of California. Policy shall include Employers' Liability (Coverage B) including Occupational Disease with limits not less than \$1,000,000 per person per accident. The policy shall be endorsed to waive subrogation in favor of the HACR.

**5.4.3 Commercial General Liability:** Commercial General Liability insurance coverage, including but not limited to, premises liability, unmodified contractual liability, products and completed operations liability, personal and advertising injury, employment practices liability, and cross liability coverage, covering claims which may arise from or out of Proposer's performance of its obligations hereunder. Policy shall name the HACR, the County of Riverside, its Agencies, Districts, Special Districts,

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Consultants, Departments, their Directors, Officers, Board of Supervisors, Board of Commissioners, employees, elected or appointed officials, agents or representatives as Additional Insureds. Policy's limit of liability shall not be less than \$1,000,000 per occurrence combined single limit. If such insurance contains a general aggregate limit, it shall apply separately to the Contract or be no less than two (2) times the occurrence limit.

**5.4.4 Vehicle Liability:** If vehicles or mobile equipment are used in the performance of the obligations under the Contract, then proposer shall maintain liability insurance for all owned, non-owned or hired vehicles so used in an amount not less than \$1,000,000 per occurrence combined single limit. If such insurance contains a general aggregate limit, it shall apply separately to the Contract or be no less than two (2) times the occurrence limit. Policy shall name the HACR, the County of Riverside, its Agencies, Districts, Special Districts, Consultants, Departments, their Directors, Officers, Board of Supervisors, Board of Commissioners, employees, elected or appointed officials, agents or representatives as Additional Insureds.

**5.4.5 Professional Liability:** The successful proposer shall maintain Professional Liability Insurance providing coverage for the successful Proposer's performance of work included within this Contract, with a limit of liability of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. If proposer's Professional Liability Insurance is written on a claims made basis rather than an occurrence basis, such insurance shall continue through the term of this Contract and proposer shall purchase at his sole expense either 1) an Extended Reporting Endorsement (also, known as Tail Coverage); or 2) Prior Dates Coverage from new insurer with a retroactive date back to the date of, or prior to, the inception of the Contract; or 3) demonstrate through Certificates of Insurance that Proposer's has Maintained continuous coverage with the same or original insurer. Coverage provided under items; 1), 2), or 3) will continue as long as the law allows.

**5.4.6 General Insurance Provisions - All lines:**

- a. Any insurance carrier providing insurance coverage hereunder shall be admitted to the State of California and have an A M BEST rating of not less than A: VIII (A:8) unless such requirements are waived, in writing, by the HACR's Risk Manager. If the HACR's Risk Manager waives a requirement for a particular insurer such waiver is only valid for that specific insurer and only for one policy term.
- b. The successful proposer must declare its insurance self-insured retention for each coverage required herein. If any such self-insured retention exceeds \$500,000 per occurrence each such retention shall have the prior written consent of the HACR Risk Manager before the commencement of operations under the Contract. Upon notification of self-insured retention unacceptable to the HACR, and at the election of the HACR's Risk Manager, Proposer's carriers shall either; 1) reduce or eliminate such self-insured retention as respects the Contract with the HACR, or 2) procure a bond which guarantees payment of losses and related investigations, claims administration, and defense costs and expenses.
- c. Proposer shall cause proposer's insurance carrier(s) to furnish the HACR with either 1) a properly executed original Certificate(s) of Insurance and certified original copies of Endorsements effecting coverage as required herein, and 2) if

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requested to do so orally or in writing by the HACR Risk Manager, provide original Certified copies of policies including all Endorsements and all attachments thereto, showing such insurance is in full force and effect. Further, said Certificate(s) and policies of insurance shall contain the covenant of the insurance carrier(s) that thirty (30) days written notice shall be given to the HACR prior to any material modification, cancellation, expiration or reduction in coverage of such insurance. In the event of a material modification, cancellation, expiration, or reduction in coverage, the Contract shall terminate forthwith, unless the HACR receives, prior to such effective date, another properly executed original Certificate of Insurance and original copies of endorsements or certified original policies, including all endorsements and attachments thereto evidencing coverage's set forth herein and the insurance required herein is in full force and effect. ***Proposer shall not commence operations until the HACR has been furnished original Certificate (s) of Insurance and certified original copies of endorsements and if requested, certified original policies of insurance including all endorsements and any and all other attachments as required in this Section, showing that such insurance is in full force and effect. An individual authorized by the insurance carrier to do so on its behalf shall sign the original endorsements for each policy and the Certificate of Insurance.***

- d. It is understood and agreed to by the parties hereto that the proposer's insurance shall be construed as primary insurance, and the HACR's insurance and/or deductibles and/or self-insured retention's or self-insured programs shall not be construed as contributory.
- e. If, during the term of the Contract or any extension thereof, there is a material change in the scope of services; or, there is a material change in the equipment to be used in the performance of the scope of work; or, the term of the Contract, including any extensions thereof, exceeds five (5) years; the HACR reserves the right to adjust the types of insurance and the monetary limits of liability required under the Contract, if in the HACR Risk Manager's reasonable judgment, the amount or type of insurance carried by the proposer has become inadequate.
- f. Proposer shall pass down the insurance obligations contained herein to all tiers of subcontractors working under the Contract.
- g. The insurance requirements contained in the Contract may be met with a program(s) of self-insurance acceptable to the HACR.
- h. Proposer agrees to notify HACR of any claim by a third party or any incident or event that may give rise to a claim arising from the performance of the Contract.

**5.4.7 City/County Business License.** If applicable, a copy of the proposer's business license allowing that entity to provide such services within the applicable City in the County of Riverside.

**5.4.8 State Business License.** If applicable, a copy of the proposer's license issued by the State of California licensing authority allowing the proposer to provide the services detailed herein.

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- 5.4.9 Registration as a California Business Entity.** Registration with the California Secretary of State as a California Business Entity is mandatory to do business with the HACR. Proposers outside of California should visit their website at <http://www.sos.ca.gov/>
- 5.5 Right To Negotiate Final Fees:** The HACR shall retain the right to negotiate the amount of fees that are paid to the successful proposer, meaning the fees proposed by the top-rated proposer may, at the HACR's discretion, be the basis for the beginning of negotiations. Such negotiations shall begin after the HACR has chosen a top-rated proposer. If such negotiations are not, in the opinion of the CO successfully concluded within five (5) business days, the HACR shall retain the right to end such negotiations and begin negotiations with the next-rated proposer. The HACR shall also retain the right to negotiate with and make an award to more than one proposer, as long as such negotiation(s) and/or award(s) are addressed in the above manner (i.e. top-rated first, then next-rated following until a successful negotiation is reached).
- 5.6 Contract Service Standards:** All work performed pursuant to this RFP must conform and comply with all applicable local, state and federal codes, statutes, laws and regulations.
- 5.6.1** Each of the attachments and exhibits attached hereto are incorporated herein by this reference.

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**ATTACHMENT A**

**“Summary of Factors and Points”**

<b>Criterion</b>	<b>Points</b>
<p><b>Project Readiness (40 Points):</b> Project readiness points will be awarded based on the following criteria:</p> <ul style="list-style-type: none"> <li>• Projects applying for competitive funding such as 9% tax credits, 4% tax credits, MHP, NPLH, etc., must apply in 2023 and provide a detailed analysis demonstrating how the project will compete for competitive funding applying for to the local, State or Federal government in order to obtain full readiness points in this category.</li> <li>• Evidence of site control (Grant Deed, DDA, Purchase and Sale Agreement or Ground Lease)</li> <li>• Evidence that all City, County, State and Federal construction and permanent financing funds have been committed (i.e. loan agreement, award letter, or resolution). <ul style="list-style-type: none"> <li>○ In the event that project will apply for a source of funding, i.e. Affordable Housing and Sustainable Communities funds and a project based voucher commitment will cause the project to score higher on that application then projects will not be deducted points for not having a commitment in place; however an application for financing must be submitted in 2023.</li> </ul> </li> <li>• Evidence of Entitlements. If project is being approved through SB35 a letter of determination that the project qualifies under SB35 from the City will be accepted. <ul style="list-style-type: none"> <li>○ Projects already entitled will receive full 20 points</li> <li>○ Projects who will be fully entitled within 6 months from award will receive 10 points with letter from agency approving project entitlements with detailed timeline for approval process.</li> <li>○ Projects not able to obtain full entitlements within 6 months will receive 0 points for this section.</li> </ul> </li> <li>• Evidence of CEQA clearance</li> </ul>	<p style="text-align: center;"><b>45</b></p> <p style="text-align: right;">10 points</p> <p style="text-align: right;">5 points</p> <p style="text-align: right;">5 points</p> <p style="text-align: right;">20 points</p> <p style="text-align: right;">5 points</p>
<p><b>Deconcentration of Poverty (10 points):</b> Proposed Projects must be located in a census tract with a poverty rate of no more than 20%. An exception to this requirement is possible if certain conditions exist, i.e. there has been an overall decline in the poverty rate over the last 5 years; the area is undergoing significant revitalization, or new market rate units are being developed that would positively impact the poverty rate. All evidence must use project’s census tract. (See 24 CFR Section 983.57 Site Selection Standards). Evidence of the Poverty Rate and/or decrease of the poverty rate must be provided with the proposal using the HCV</p>	<p style="text-align: center;"><b>10</b></p>

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Tool found at: <a href="https://www.huduser.gov/portal/maps/hcv/home.html">https://www.huduser.gov/portal/maps/hcv/home.html</a> .	
<p><b>California Tax Credit Allocation Committee Opportunity Areas (15 points):</b></p> <p><b>15 points</b> Projects located within a CTCAC Highest Resource opportunity area.</p> <p><b>10 points</b> Projects located within a CTCAC High Resource opportunity area</p> <p>A map can be found via the following link:  <a href="https://www.treasurer.ca.gov/ctcac/opportunity.asp">https://www.treasurer.ca.gov/ctcac/opportunity.asp</a></p>	15
<b>Total Possible Points:</b>	<b>70</b>

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**ATTACHMENT B**

**Housing Choice Voucher Program Project-Based Vouchers**

**Form of Proposal**

All questions must be answered. If any questions are left blank or information is missing the proposal will be considered deficient and ineligible to compete in this RFP process. Digital copies must have folders created that address all 5 sections below. Subfolders must be created and clearly labeled addressing all information required in sections 2-5.

**1. Contact Information:**

Name of Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

E-mail: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Name of Project: \_\_\_\_\_

Project address: \_\_\_\_\_

Total number of units: \_\_\_\_\_

Number of vouchers requested: \_\_\_\_\_

- Studios: \_\_\_\_\_
- 1 bedroom: \_\_\_\_\_
- 2 bedroom: \_\_\_\_\_
- 3 bedroom: \_\_\_\_\_
- 4 bedroom: \_\_\_\_\_
- 5 bedroom: \_\_\_\_\_
- 6 bedroom: \_\_\_\_\_

Proposed Utility Allowance: \_\_\_\_\_

- Utilities Paid by Owner: \_\_\_\_\_
- Utilities Paid by Tenant: \_\_\_\_\_

**2. Project Readiness (45 points):** Use this Section to indicate when the project will be ready to commence new construction. Provide a detailed timeline that indicates all necessary actions for project to meet the readiness date, including but not limited to environmental clearance (CEQA and NEPA), site control, financing commitment and project entitlements. Supporting documentation must be provided.

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- 3. California Tax Credit Allocation Committee Opportunity Areas (15 points):** Provide a map showing the level of CTCAC resource opportunity area the project is located in.
- 4. Deconcentration of Poverty (10 Points):** Use this Section to include an explanation of how the project is consistent with the goal of deconcentrating poverty and expanding housing opportunities by explaining how the project area offers high quality housing, education and employment opportunities. All projects must be located in an area where the poverty rate is less than 20%. If the poverty rate is not less than 20%, the proposer must demonstrate in the past five (5) years that there has been an overall decline in the poverty rate. Use HCV tool found at: <https://www.huduser.gov/portal/maps/hcv/home.html> See Section 2.10.5 of this RFP.
- 5. Project Description-**Provide an in depth description of the project including the following information:
- address of project or Assessor Parcel Number
  - location of project by census tract
  - the total number of buildings in community
  - Type of Project (i.e. Special Needs (if Special Needs submit a brief project description narrative stating specific population that will be served), large family, etc.
  - total number of units by bedroom size in each building
  - number and bedroom sizes of Project Based Vouchers in each building.
  - new construction provide sketches of the proposed unit plans, and provide a detailed description including amenities and services.
  - Owner/proposers experience in managing affordable housing units
  - Owner/proposers plan for managing and maintaining the units
  - the proposed contract rent for each unit size
  - sources and uses budget for the project
  - evidence of financing commitment
  - 15 year project proforma
  - evidence of developer experience
  - Tax credit tie-breaker score

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Company Name: \_\_\_\_\_

\_\_\_\_\_  
Office Phone Number

\_\_\_\_\_  
Mobile Phone Number

\_\_\_\_\_  
Email Address