County of Alameda
Housing and Community Development

Alameda County Urban County
NEIGHBORHOOD STABILIZATION
PROGRAM
REQUEST FOR PROPOSALS

MARCH 30, 2009
I. Summary and Background

On July 30, 2008, the 2008 Housing and Economic Recovery Act (HERA) was signed into law. HERA included a special allocation of Community Development Block Grant funds (CDBG), known as the Neighborhood Stabilization Program (NSP) funds. The purpose of NSP is to provide targeted assistance to state and local governments to acquire and redevelop abandoned and/or foreclosed homes and residential properties that might otherwise become sources of blight within their communities. Information about the NSP is located in the October 6, 2008 Federal Register and can be accessed via the following link:


Through the NSP, HUD has allocated $3.92 billion in CDBG funds to communities and states nationwide, $2.12 million of which was allocated to the County of Alameda's Urban County jurisdiction (the cities of Albany, Dublin, Emeryville, Newark, Piedmont, and the Unincorporated County). The plan for distributing these funds is included in the Substantial Amendment to the Consolidated Annual Action Plan submitted to HUD on November 24, 2008. The complete Substantial Amendment can be accessed via the following link http://www.acgov.org/cda/hcd/.

The County, as lead agency for the Urban County NSP funds, is holding a competitive process to allocate the funds. Through the competitive process, the County intends to select one or more organizations that have the ability to use the funds to help stabilize communities through the acquisition and rehabilitation or redevelopment of foreclosed properties. The acquired properties will be used for affordable homeownership and rental housing, with the purpose of preventing or reducing blight, restoring stability, and revitalizing and strengthening targeted neighborhoods.

Based on the HERA-required criteria and data provided by HUD, the County has established high risk target areas for the use of NSP funds. These areas are: the Unincorporated neighborhoods of Ashland, Cherryland, and portions of Fairview, along with certain neighborhoods in the City of Newark. The attached map shows the census tracts (Exhibit D) of these areas.
II. Eligible Programs

Alameda County NSP funding may be spent on either a “Project” or a “Program.” A Project is defined as a specific site, and may include using the funds for acquisition, rehabilitation or new construction. Projects may be single family or multi-family in nature, and they may be rental or ownership activities. For the purposes of the NSP, a Program is defined as the acquisition, rehabilitation and resale of single family homes which have been foreclosed upon. A Program need not have identified a specific site at this time, but applicants will provide details on the types of sites it will target. A Program will likely be single family and homeownership in nature.

1 Projects - Single Site and Adjacent Lot Affordable Housing Development:
This activity involves the purchase and redevelopment of a large single site or the purchase of multiple properties on adjacent lots which will then be redeveloped into a larger project. These properties must be bank-owned (have completed the foreclosure process) and sites whose acquisition and development will reduce or prevent blight from occurring. It is expected that most of the projects under this activity will be new construction developments, but may include the acquisition and rehabilitation of large multi-family properties. Organizations applying for this activity must be prepared to leverage the NSP funding, and meet the requirements of the Federal NSP regulations

a) Homeownership - The redeveloped properties may include the new construction of for sale housing to be sold to income-eligible households. All homeowners must receive homeownership counseling that meets the requirements of NSP. (If the properties purchased and redeveloped with NSP funds have no ready buyers, due to the economic crisis, The County will allow the homes may be made available as rental housing until such time as the economy recovers and the homes may be sold. Tenants occupying these homes will be eligible for relocation benefits).

b) Rental - The redeveloped properties may be rented to households at 80% or below Area Median Income. The federal NSP program requires that 25% of the funds must be spent on households at 50% or below AMI, and it is expected that this will be accomplished through a rental project. Rental properties may, but are not required to, serve special needs populations. It is expected that rental units will be created and managed by local nonprofit housing agencies.

2 Program - Revolving Loan Fund for Scattered Site Acquisition/Rehabilitation:
This activity involves the acquisition and rehabilitation of single properties on individual lots which have been abandoned or foreclosed upon. Organizations proposing this kind of program must leverage the NSP funding with commercial bank mortgages, using the NSP funds to acquire and rehabilitate the homes. New buyers will take out as much of the NSP funding as is feasible, freeing up those funds to be used again on another property.

a) Homeownership – The rehabilitated homes may be re-sold to income-eligible households. A homeownership resale program must include homebuyer counseling which meets the NSP requirements. Any funds earned from the resale
of the property must be repaid to HCD, which will re-loan the funds. It is contemplated that some NSP funds may be left in the buildings to keep them affordable, but that in general, the NSP funds will revolve between properties, allowing the successful applicant to complete multiple acquisition/rehabilitations over a period of four years. (If the properties purchased and redeveloped with NSP funds have no ready buyers, due to the economic crisis, The County will allow the homes may be made available as rental housing until such time as the economy recovers and the homes may be sold. Tenants occupying these homes will be eligible for relocation benefits).

Successful applicants will provide a full and comprehensive narrative description of either their Project or Program that addresses all of the NSP requirements and the needs of the proposed program or project within the funding available.

III. Available Funding and Income Targeting

All NSP funds must benefit Households at or below 120% of Area Median Income (AMI). These limits are updated periodically, usually annually. Income limits which are current as of the time a household is obtaining housing must be used. See Table 1 below for 2008 limits.

Low Income Targeting

NSP regulations require that a minimum of 25% of NSP funds be spent on housing benefiting households at or below 50% of AMI. The County of Alameda intends to invest a minimum of $531,731.75 of NSP funds for the creation of rental housing for households whose incomes do not exceed 50% of AMI, as required by NSP regulations. It is anticipated that these funds may be spent on rental activities for special needs households.

Funds Available by Income Level:

Activities benefiting households at or below 50% of AMI $531,731.75
Activities benefiting households below 120% of AMI $1,382,502.55

Table 1: 2008 Income Limits

<table>
<thead>
<tr>
<th>Income Limit</th>
<th>1 Person</th>
<th>2 Person</th>
<th>3 Person</th>
<th>4 Person</th>
<th>5 Person</th>
<th>6 Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low</td>
<td>$18,100</td>
<td>$20,700</td>
<td>$23,250</td>
<td>$25,850</td>
<td>$27,900</td>
<td>$30,000</td>
</tr>
<tr>
<td>(30%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Very Low (50%)</td>
<td>$30,150</td>
<td>$34,450</td>
<td>$38,750</td>
<td>$43,050</td>
<td>$46,500</td>
<td>$49,950</td>
</tr>
<tr>
<td>Low (80%)</td>
<td>$46,350</td>
<td>$53,000</td>
<td>$59,600</td>
<td>$66,250</td>
<td>$71,550</td>
<td>$76,850</td>
</tr>
<tr>
<td>Median (100%)</td>
<td>$60,300</td>
<td>$68,900</td>
<td>$77,500</td>
<td>$86,100</td>
<td>$93,000</td>
<td>$99,900</td>
</tr>
<tr>
<td>Middle (120%)</td>
<td>$72,360</td>
<td>$82,680</td>
<td>$93,000</td>
<td>$103,320</td>
<td>$111,600</td>
<td>$119,880</td>
</tr>
</tbody>
</table>
IV. Request For Proposals

The County of Alameda Housing and Community Development Department (HCD) is issuing a Request for Proposals (RFP) to select one or more organizations to provide the acquisition, rehabilitation or redevelopment, marketing and sale of properties in the identified high risk target areas.

The selected organization must be able to develop and supervise a viable financial and construction plan for a successful Project or Program. These funds must be committed and in contract within 18 months and fully expended within four years. The organization must possess a full range of general real estate and housing development/rehabilitation knowledge; the ability to obtain bonding and adequate financing; provide insurance which meets County requirements (see Exhibit C); required permits and licenses; and the ability to coordinate and monitor construction activity. The organization must also provide homeownership counseling (if homeownership is included in the proposed program for which funds are awarded).

The RFP describes the areas of expertise and the information required from the responding organizations to be considered for selection. Organizations may show capacity internally and/or by presenting Memorandums of Understanding (MOU) or other collaborative agreements with organizations or consultants with which they intend to work. This RFP is competitive; successful proposals will thoroughly and concisely address and document the following:

- Capacity of the applicant to administer the funds;
- The long-term viability of the proposed project;
- Readiness to proceed;
- Demonstrated qualifications and experience
- Ability to complete the project within the federally specified timeframe;
- Ability to leverage additional resources; and
- The comprehensive scope of the proposed project(s)
- Ability to meet other eligibility criteria detailed on pages 7-12.
- Provide a certification that the organization will meet all NSP requirements.

The County must spend 25% of the NSP funds on units to house individuals or families whose incomes are at or below 50% of AMI, as described above. This NSP requirement will be weighed separately, and will be used by HCD in the allocation of funds and selection of applicant(s).

Prior to the application deadline, please check the Housing and Community Development website regularly for any updates, corrections or posted questions and answers regarding this RFP at http://www.acgov.org/cda/hcd/.

Mandatory Meeting

There will be a mandatory orientation meeting to review the NSP RFP process and requirements with prospective applicants on Friday, February 20, 2009 from 10:00 -12:00 at 224 W. Winton Ave., Room 160 in Hayward. The notice of this meeting was widely distributed via email list
groups and the Alameda County Affordable housing developer mailing list. The meeting will be held in the Public Hearing Room at 224 W. Winton Ave. Hayward. HCD will provide any updates and answer any questions on the NSP RFP at this meeting.

**In order to be eligible to submit an application, prospective applicants are required to attend this meeting.**

V. Process and Timeline

Applications must be received at HCD’s office located at 224 W. Winton Ave., Room 108, Hayward, CA 94544, no later than 12:00 noon on March 30, 2009. Applications submitted after this deadline will not be accepted.

Applicants must submit an original and two copies of a complete proposal with all the required supporting materials.

HCD staff will conduct an application review and prepare staff recommendations. The staff recommendations will be presented to the Urban County Technical Advisory Committee and the Housing and Community Development Advisory Committee for their consideration and recommendation. Final selection will be made by the Alameda County Board of Supervisors. Recommendations are expected to be presented to the Board of Supervisors in late June, 2009.

Alameda County reserves the right not to select any applicants.
PROGRAM REQUIREMENTS

1. Eligibility Criteria

a. Eligible Applicants:
   • Applicants can be individuals, partnerships, corporations, developers or community land trusts.
   • Applicants must demonstrate credit worthiness, financial capacity, and relevant past experience to undertake the program or project proposed by the applicant. For rental projects, applicants must also demonstrate capacity to manage and maintain such properties as required by the program.
   • Applicants without the necessary experience must enter into joint venture agreements with experienced developers. Joint venture agreements will be reviewed and must be approved by the County HCD. Applicants without the capacity to implement the proposed program or project which do not have a joint venture in place may be disqualified by the County due to the time constraints associated with this funding.

b. Eligible Properties:
   All properties must have completed the foreclosure process.
   • Single-family and multi-family residential structures (there is no limit to the number of units in the property) must be abandoned or foreclosed.
   • Underutilized properties where the construction of affordable housing is possible
   • “Foreclosed” means that pursuant to applicable state and local laws, the mortgage or tax foreclosure process has been completed. Title must have transferred from the former property owner. Funds may not be used for foreclosure prevention activities or for acquisition of properties that have not been foreclosed upon.
   • Properties must be located in high risk areas as determined by the Alameda County Housing and Community Development Department. Please see the attached map for eligible areas, along with a list of each eligible census tract.

c. Eligible uses of Funds:
   • Acquisition. Properties acquired under this program must be purchased at a discounted price below the current market value of the property, taking into account its current condition, of at least five percent (5%), as determined by a County-approved appraisal. For the program as a whole, the average discount must be at least 15%. Appraisal shall be consistent with the appraisal requirements of the Uniform Relocation Act and meet NSP requirements. Applicants should clearly describe how they will meet this goal.
   • Rehabilitation/Redevelopment. Funds may be used for the costs of rehabilitating and/or redeveloping properties to comply with State and local code requirements and all applicable property standards (see below) necessary to ensure housing safety, quality, and habitability. Rehabilitation may include improvements to increase the energy efficiency or conservation of such homes and properties or provide a renewable energy source or sources for such homes and properties. All
work must be done under the supervision of a licensed general contractor in good standing with Contractors State License Board (CSLB).
- **Related Soft Costs.** Funds may be used for related soft costs such as permits and fees, architectural and engineering fees, appraisal fees, title and escrow fees, marketing and sales costs, etc. The County will allow developers to receive a developer fee not to exceed 10% of the overall project costs.
- **Ineligible Costs.** Funds may not be used to provide improvements or finishes above standard quality. Funds may not be used for the costs of boarding up properties, mowing lawns, or otherwise maintaining the property in a static condition.
- All costs must be consistent with NSP Requirements.

2. **Property Standards**
   a. **Local Codes**
      - Upon completion, properties must meet all applicable building codes, housing and planning standards.
   b. **Rehabilitation Standards**
      - Properties must be rehabilitated in conformance with the Federal Housing Quality Standards (HQS).
   c. **Lead-Based Paint**
      - Properties must comply with all applicable Federal standards for abatement of lead-based paint hazards.
   d. **Accessibility to Persons with Disabilities**
      - Accessibility to persons with disabilities to the extent required under applicable provisions of Section 504 of the Housing Rehabilitation Act of 1973, including compliance with Federal Uniform Accessibility Standards. Information regarding Section 504 Information can be accessed via the following link: [www.hud.gov/offices/fheo/disabilities/sect504.cfm](http://www.hud.gov/offices/fheo/disabilities/sect504.cfm)
   e. **Asbestos**
      - Properties must comply with all applicable Federal standards for the testing and abatement of asbestos.

3. **Affordability Requirements**
   a. **Ownership Properties**
      After Rehabilitation is complete:
      - Properties must be sold at a price at or below the total cost of acquisition and rehabilitation, including a reasonable developer fee as determined by the County.
      - Unless as otherwise noted in this document, properties must be occupied by households as their principal residence.
• Properties must be sold to households with incomes at or below 120% of AMI, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development.

• Properties will be subject to limitations on resale or shared appreciation agreements.

• Homebuyers will be required to sign a 20 year resale restriction or a shared appreciation promissory note. If other federal or local funds are used to supplement NSP funds, the buyer will be required to enter into resale restrictions that require a longer restriction period.

b. **Rental Properties.**

• Units must be rented to low and very-low income households, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development. Final determination of rents will be set by HCD.

• Rents will be set in accordance with the guidelines for “Low HOME units” under the federal HOME program.

• These restrictions shall remain in place for a minimum 20 years. If other federal or local funds are used to supplement NSP funds, the owner may be required to enter into a 55 year rent restriction agreement.

• Assisted rental projects will be subject to annual monitoring and physical inspection by the County.

4. **Disbursement of Funds**

For acquisition and rehabilitation, funds will be disbursed only for costs actually incurred. Payment for construction costs will be made on a progress payment basis, subject to approval of each draw request by the County. The County will retain ten percent (10%) of the amount budgeted for construction as a performance retention, to be released upon recordation of a Notice of Completion, release of all liens, and satisfactory compliance with any other County requirements. Additionally, the County will retain an amount equal to the portion of the developer fee to be paid with NSP funds until receipt and approval of a cost certification.

5. **Monthly Updates**

Upon selection by the County, borrower must provide written monthly updates to County staff. Monthly updates will allow County staff to anticipate upcoming approvals needed and to stay informed about efforts to move the project forward on schedule.

6. **Environmental Review: NEPA/CEQA**

Prior to final approval by the Board of Supervisors, projects must be assessed in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act of 1960 (NEPA).

*Choice-Limiting Actions Prohibited During NEPA Review*

Applicants must refrain from undertaking activities that would have an adverse environmental impact or would otherwise limit the choice of reasonable alternatives between
the time of application submittal and when the County has completed its environmental review process. Such activities include acquiring, rehabilitating, converting, leasing, repairing or constructing property, any kind of site preparation, or committing or expending HUD or non-Federal funds for program activities with respect to any project eligible under this RFP. If the applicant has entered into a purchase agreement or contract for any of the above activities prior to applying for this RFP, work may continue pursuant to that contract. But amendments to the contract or new contracts may not be entered into. CDBG funds may not be used to reimburse an applicant for project related costs incurred after the applicant has submitted the application for funding and before the completion of the County's environmental review process for NEPA except for activities that are excluded and not subject to federal environmental review requirements, and for certain relocation costs.

7. Federal Funding Requirements
In addition to meeting NEPA environmental review requirements, the project must comply with other federal CDBG requirements, except as modified by NSP. These requirements will be described in further detail to the project sponsor upon funding and include: equal opportunity and fair housing laws; affirmative marketing, and displacement, acquisition and relocation requirements; Davis-Bacon prevailing wage rules; SB975 Prevailing Wage; the Lead-Based Paint Poisoning Prevention Act; conflict of interest laws; debarment and suspension certification; Language Access Plan (LAP) and the Flood Disaster Protection Act.

In particular, the following issues must be taken into consideration when determining project feasibility.

a. Relocation: Applicants should make all efforts to minimize displacement of current occupants of proposed housing. State and/or federal relocation law will apply to projects that will temporarily or permanently displace current business or residential occupants, and relocation assistance and benefits may be required which can add substantially to the project cost. Acquisition/rehabilitation projects involving planned or potential displacement of current residents, a relocation plan is required with the application and an estimated relocation budget must be included in the proforma which contains:

i. Relocation consultant fees
ii. Payment of relocation benefits to every tenant in the building at not less than $5,645 (HUD Maximum).
This is a conservative amount, and if it turns out this funding is not needed, after approval from HCD, the funds can be spent on other approved costs or the financing amount from HCD may be reduced.

Applicants submitting proposals which will require temporary or permanent relocation should contact HCD before submitting the proposal.

b. Davis-Bacon: Davis Bacon requirements are triggered by NSP funds under certain circumstances. The applicant must indicate their knowledge of these requirements with regard to project financing and development. If the applicant is unfamiliar with Davis-Bacon regulations and procedures, please contact HCD prior to submitting an application.
c. **Prevailing Wage** (SB975): State legislation requires payment of prevailing wages for most private projects that are constructed under an agreement with a redevelopment or other public agency (including Alameda County HCD) providing some form of public agency assistance for the project. The applicant must indicate their knowledge of these requirements with regards to project financing and development.

d. **Competitive Bidding**: Unless special circumstances apply, HUD and HCD require competitive bidding of all construction and professional services contracts arising from the use of funds under this RFP.

e. **Section 3**: Federally-funded projects are subject to HUD Section 3 requirements. Section 3 requires that recipients of HUD dollars spent for housing rehabilitation, housing construction or public construction, and their subcontractors, must provide to the greatest extent feasible employment, training and contracting opportunities to low and very-low income people and businesses.

f. **Section 504**: Developments assisted by HCD must meet the requirements of the Americans with Disabilities Act and the Fair Housing Act, among other local, state, and federal laws. Projects with any federal funds must also meet accessibility requirements of Section 504 of the Rehabilitation Act of 1973 (24 CFR 100.205 and Part 8). Section 504 sets minimum percentages of accessible units, and calls for fully accessible common areas, among its numerous requirements.

For all federally-funded new construction or substantial rehabilitation projects, a minimum of 5% of the total number of units must be accessible to people with physical disabilities, and an additional 2% of units must be accessible to people with auditory and visual disabilities, as defined in the Uniform Federal Accessibility Standards (UFAS). The County will expect rehabilitation projects to make 5% of the units accessible if possible, and will review Section 504 on a case by case basis.

Where Section 504, the Fair Housing Act, and/or ADA apply, the developer and project architect must make a written certification of compliance.

g. **Fair Housing Management and Marketing Plan**: For rental projects, a Preliminary Management Plan and for both Rental and Ownership, an Affirmative Marketing Plan must be submitted in the application. For rental projects, a final Management and Marketing Plan will be required 180 days prior to construction completion and a management contract must be submitted to HCD 90 days prior to construction completion. Alameda County will have the right to approve the management plan, management agent and management contract per our Regulatory Agreement. The final Marketing Plan must be approved prior to beginning of rent-up or for sale activities, including marketing flyers and application materials. Projects must be marketed in accordance with HCD’s Affirmative Marketing Procedures.

h. **Language Access Plan**: A Language Access Plan (LAP) must be developed to describe
how non-English speaking households will be served.

i. **Lead Based Paint:** The use of lead-based paint is prohibited. Testing and abatement of lead-based paint in rehabilitation properties may be required. Projects must follow the federal guidelines, which require notification to prospective residents of potential lead-based paint hazards among other requirements.

j. **Nondiscrimination:** Applicants must not discriminate on the basis of race, color, ancestry, national origin, religion, sex, sexual preference, age, marital status, family status, source of income, physical or mental disability, HIV/AIDS, or any other arbitrary basis in the course of carrying out contracted activities, as well as in the ongoing operations and management of the project for the full term of the regulatory agreement.

k. **Income Certification**
   Per Federal and County requirements, Owners are required to re-examine tenant incomes annually to ensure that households continue to meet the income requirements. Rents and household incomes will be annually reviewed for compliance by HCD. It is the applicant’s responsibility to satisfy themselves of the applicable rules prior to applying to HCD for funding.

8. **Local Policies**

   In addition to Federal Requirements specifically associated with the NSP program, Alameda County’s Housing and Community Development Department are imposing additional requirements on projects financed under this RFP, as follows.

   a. **Green and Sustainable Building:**
      Green building strives to improve design and construction practices so that new buildings will last longer, cost less to operate, and contribute to increase productivity and better working environments for workers and/or residents. In addition, green building works to protect natural resources and improve the built environment so ecosystems, people, enterprises and communities can thrive and prosper. Green and sustainable building requires thorough planning, thoughtful design and quality construction. Projects that meet certain minimum standards will receive points in this application process. Please refer to Appendix A for more information on this requirement.

   b. **EveryOne Home Units**
      Alameda County Housing and Community Development (HCD), along with member jurisdictions of the HOME Consortium, the Urban County, and the Cities of Oakland and Berkeley, are active participants in EveryOne Home, the countywide effort to end homelessness in Alameda County by 2020. The Plan calls for the creation of 15,000 new EveryOne Home units through tenant-based subsidies and the creation of new affordable housing units. For more information see [www.everyonehome.org](http://www.everyonehome.org). This RFP seeks to support the creation of EveryOne Home units and the County will be tracking EveryOne
Home units. Additional information regarding EveryOne Home may be found in Appendix B.

c. **Evidence of Community Outreach**
The applicant must provide evidence of community outreach as part of the loan closing process. Applicants should provide a narrative regarding expected community outreach for the project and whether or not discretionary approvals are required for planning or building permits and the projects status and schedule relating to this.

Projects involving rehabilitation of occupied properties must show that information regarding the planned work and its potential impacts on residents has been provided to all existing tenants.

9. **Insurance**
During development and while rental property is owned, developers must obtain comprehensive general liability, automobile liability, workers compensation, professional liability, and property (hazard) insurance coverage of at least $1 million. The County also requires property damage or builder’s risk insurance in an amount equal to 100% of the replacement cost of the structure, with a lender's loss payable endorsement in favor of the County. General liability and Automobile liability policies shall be endorsed to name as an additional insured: County of Alameda, its Board of Supervisors, the individual members thereof, and all County officers, agents, employees and volunteers.

10. **Payment and Performance Bonds**
General contractors will be required to provide payment and performance bonds equal to 100% of the construction contract amount.

11. **Applications Become Public Records**
Applicants should understand that, under the California Public Records Act, all documents that they submit in response to this RFP are considered public records and will be made available to the public upon request following the application deadline.

12. **Right Not to Fund**
The County reserves the right to suspend, amend or modify the provisions of this RFP, to reject all proposals, to negotiate modifications of proposals, or to award less than the full amount of funding available.
SELECTION CRITERIA

Organizational Capacity  30 Points
- Applicant's experience with proposed program, including such details as acquisition of real property, rehabilitation, marketing, and sale of affordable ownership housing or ownership and management of rental property. If proposal is serving specific target populations, the organization’s experience serving that population.
- Ability to leverage additional financial resources.
- Demonstrated qualifications and experience.
- Capacity of the applicant to administer the funds.
- Applicant’s experience working under contract with County of Alameda.

Green Building  15 points
Applicants must complete the green point rating for either single family or multi-family projects and meet minimum thresholds. After minimum thresholds are met, additional points are awarded based on additional measures taken to reach green building goals.

Program Serves the Greatest Need  15 Points
- Applicant has made a case for the community’s need for the proposed project.
- Proposed project is located in the Target Area(s).
- Income levels the Project intends to serve.

Proposals Overall Completeness  20 Points
- Applicant has submitted all required information.
- The proposal is comprehensive in scope and thorough.

Project is viable  20 Points
- The long-term viability of the proposed project.
- Readiness to proceed.
- Ability to complete the project within the federally specified timeframe.
- Preference for projects with affordability terms longer than 20 years.
PROPOSAL APPLICATION REQUIREMENTS

Applications must be received at the address below by March 30, 2009 no later than 12 noon. Applications received after this deadline will not be accepted. Applicants must submit an original and two copies of a complete proposal with all the required supporting materials.

County of Alameda
Housing and Community Development Department
224 W. Winton Ave., Room 108
Hayward, CA 94544
Attn: Michelle Starratt

APPLICATIONS SHOULD INCLUDE THE FOLLOWING

1. Application Form

2. A narrative description of the specific project site or proposed program by the Applicant. It should include the following:

   If Project:
   a) Site Description and Address;
   b) How many units;
   c) Rental or ownership units;
   d) Which Target Area(s) project located in;
   e) How will the units be made affordable;
   f) If ownership, address how the units will be selected, scope of the rehab work, and overall process for re-selling the units;
   g) Address financial structure of the project, other financing required.

   If Program:
   a) Where is the program to be implemented;
   b) How many units will be completed in total;
   c) Rental or ownership units;
   d) How will the units be made affordable;
   e) Potential financing involved in the program;
   f) If ownership, address how the organization will assess the units and develop a scope of the rehab work, and overall process for re-selling the units.

3. A budget for the proposed Project or Program; include a per unit and total project budget, including both sources and uses of funds and indicating the amount and source of any non-NSP funds. Describe assumptions regarding rehabilitation costs for rental and ownership. There should be separate budgets for rental and ownership projects. Rental projects need to
include operating costs in the budget. Please provide an electronic copy of the budgets in Excel format, not PDF. Include
   a) Per unit cost
   b) Total Request

4. A schedule for the proposed Project or Program

5. Evidence of Experience

   The development entity applying for funding must have experience successfully completing at least three housing development projects. Must show evidence of at least one of the completed projects similar to the project for which funding is being sought.

   Developers must submit the following information concerning all completed projects to show they meet or exceed minimum experience requirements.

   a) The type of project developed (Number of units, funding sources, total development cost, new construction or rehabilitation ownership or rental).
   b) Location of project.
   c) Date of project start and completion.
   d) List of staff members involved in the development of the project.
   e) The income level of the households that were served.
   f) Name, title, and telephone number of staff member of local governing body most familiar with the project.
   g) Whether project was on time and on budget (relative to schedule and budget at start of construction).
   h) Affordability restrictions addressed.

6. Evidence of Capacity

   **Developer Project Management**: Experience with 3 similar projects is required.

   - Submit resumes and job descriptions of key staff.
   - Please show experience with at least 3 completed projects similar to the project proposed.
   - Please show that the lead staff person assigned has completed one project from start to finish, which should be of the same general type and complexity as the project being proposed.

   In addition, although not required in the application, organizations that are selected to receive funding may be required to submit the following information:

   - list of current board members, with resumes and addresses;
   - audited financial statements for the past two years.

6. Evidence of Project Team Capacity
Consultants and Other Team Members: Development team members must show experience with 3 similar projects.

- Provide a list of any other members of the project team, aside from the lead developer.
- Provide resumes for key staff of the project team. If rental units are being developed, need to provide property management information.

General Contractor (if selected): Experience with 3 similar projects required. Designation of a general contractor is not required with the RFQ/P application submission. Upon designation of a general contractor, the following information must be submitted as part of the County approval process.

- If this project is unusually complex, please demonstrate experience with a project of similar complexity.
- Please show experience with prevailing wage/Davis-Bacon requirements. Experience in this area is desirable. If contractor has been involved with a previous project partially financed by the County, previous performance will be considered.
- Please show experience with local hiring programs. Experience in this area is desirable. If contractor has acted on a previous project partially financed by the County, previous performance will be considered.
- Please demonstrate that the contractor has the financial capacity to take on the project.
- Please show that the on-site construction supervisor has the experience required of the contractor.

Joint Venture Agreement (if applicable): If the applicant is a Joint Venture, a Joint Venture Agreement is required, clearly describing the roles and responsibilities of each partner, who is the lead partner, or if the responsibilities are approximately equally shared between the partners.

7. Certifications

Complete and submit the Certifications provided.
CERTIFICATIONS

Applicant hereby certifies:

1. **Truth of Application**
   That the information submitted in the Loan Application and any supporting materials is true, accurate, and complete to the best of its knowledge. Applicant acknowledges and understands that if facts and/or information herein are found to be misrepresented, it shall constitute grounds for the default of the loan for which application is being made.

2. **No Conflicts of Interest**
   That, to the best of its knowledge, no "covered person" (as defined below) associated with the County has or will obtain a financial interest or benefit from this loan or the Project, or has or will obtain an interest in any contract, subcontract or agreement with respect to the loan, the Project or the proceeds thereunder, either for themselves or those with whom they have immediate family or business ties, during that covered person's tenure with the County or for one year thereafter. A "covered person" for purposes of this paragraph includes any employee, agent, consultant, officer, or elected or appointed official of the County who, with respect to activities assisted with HUD funds, (a) exercises or has exercised any functions or responsibilities, or (b) is in a position to participate in a decision making process, or (c) is in a position to gain inside information. No officer, employee, agent, or consultant of Applicant or Applicant’s affiliates may occupy a Project Unit.

   Applicant warrants and represents, to the best of its present knowledge, that no public official of County who has been involved in the making of this loan, or who is a member of a County board or commission which has been involved in the making of this loan, has or will receive a direct or indirect financial interest in this loan or the Project in violation of the rules contained in California Government Code Section 1090, et seq., pertaining to conflicts of interest in public contracting. Applicant shall exercise due diligence to ensure that no such official will receive such an interest. If Applicant, a general partner of Applicant, or an affiliate of Applicant or Applicant's general partner is a nonprofit corporation, Applicant warrants and represents, to the best of its present knowledge, that any such public official of County who is an employee or a noncompensated director or officer of said nonprofit corporation has disqualified himself or herself from participating in County’s decision to make this loan.

   Applicant further warrants and represents, to the best of its present knowledge and excepting any written disclosures as to these matter already made by Applicant to County, that (1) no public official of County who has participated in decision making concerning this loan or the Project or has used his or her official position to influence decisions regarding this loan or the Project, has an economic interest in Applicant or the Project, and (2) neither the Project nor the loan will have a direct or indirect financial effect on said official, the official’s spouse or dependent children, or any of the official’s economic interests. Applicant agrees to promptly disclose to County in writing any information it may receive concerning any such potential conflict of interest. Applicant’s attention is directed to the conflict of interest rules applicable to governmental decision making contained in the Political Reform Act (California Government Code Section 87100, et seq.) and its implementing regulations (California Code of Regulations, Title 2, Section 18700, et seq.).

3. **No Use of Suspended/Disbarred Contractors**
   That Applicant its principal and its contractors:

   (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, 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; or violation of Federal or State antitrust statutes or commissions of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in the subsection (b) above; 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.

If Applicant is unable to certify as to any of the above statements, Applicant has attached a written explanation to this Agreement.

4. **Choice-Limiting Actions During NEPA Review Are Prohibited**
That the applicant acknowledges that any choice limiting actions or actions that have environmental consequences as defined in the Program Description and Requirements section will not be undertaken during the period between application submittal and the completion of the County's environmental review process.

5. **Applicant Will Abide by Program Rules**
That if Applicant is successful in receiving funds as a result of this Application, it will abide by all applicable rules and regulations governing the program.

6. **Applications are Public Records**
That Applicant acknowledges that the information submitted as part of this application may be made available to the public pursuant to a request under the California Public Records Act.

Applicant Organization Name(s):

________________________________________________________

Signator Name(s) (please type):

________________________________________________________

Signature/Date:

________________________________________________________
Appendix A – Green Building

**GreenPoint Checklist and Green Building Guidelines:**
Applicants are required to complete either the Existing Home GreenPoint Checklist (single-family) or the **Multifamily GreenPoint Checklist** developed by Build It Green as part of the GreenPoint Rated program. The checklist tracks green building measures in the proposed project design and provides a preliminary GreenPoint score. The proposals will be evaluated based on the total GreenPoint score. This category is scored in the ranking criteria. As a minimum threshold, projects will be required to meet 25 points in each category set forth in the GreenPoint Checklist (energy, community, health, water, and resources) and a total minimum score of 25 points.

It is understood that most proposals are in early stages of design development, and therefore, the applicants are asked to complete the GreenPoint checklist based on their intent to incorporate green building components. However, projects awarded HCD funding will be evaluated for the actual design prior to start of construction. The projects will be required to achieve at least the same GreenPoint score range as was achieved for NOFA scoring.

The GreenPoint Checklists are accompanied by the **Home Remodeling and Multifamily Green Building Guidelines** and are the basis for Build It Green’s third party rating program. The Home Remodeling and Multifamily Guidelines are downloadable free at [www.multifamilygreen.org](http://www.multifamilygreen.org), or for purchase at [www.builditgreen.org](http://www.builditgreen.org). Free technical assistance is also available to non-profit multi-family housing developers. Please contact Wes Sullens at Green Building in Alameda County ([wsullens@stopwaste.org](mailto:wsullens@stopwaste.org)) or 510-891-6500 for more information. The Green Affordable Housing Coalition also has an informative website on various strategies and Bay Area resources for greening affordable housing at [www.greenaffordablehousing.org](http://www.greenaffordablehousing.org).

A. Require all applicants fill out the GreenPoint checklist and meet the minimum 25 pts. Applicants will not receive NOFA points for meeting the minimum; however, they will start earning points by achieving points above the minimum. Multi Family and Single family projects will be judged differently based on utilizing different check lists.

B. Recommend that all applicants use a GreenPoint Rater. Applicants will receive extra NOFA points for using a GreenPoint Rater. In the interim, applicants must have project self-certified by the architect and project manager.

C. As a consequence for non-compliance in meeting the BIG points, applicants will be docked points from their next NOFA application.
Appendix B – EveryOne Home Definitions

Who EveryOne Home is Committed to Housing

1. Homeless Individuals and Families. EveryOne Home defines homeless to be persons:
   - staying in a place not meant for human habitation (e.g., a vehicle, an abandoned building, bus-train/subway station/airport or anywhere outside)
   - in an emergency shelter or transitional housing for the homeless
   - fleeing domestic violence
   - facing eviction within a week from a private dwelling unit and no subsequent residence has been identified and the person lacks the resources and support networks needed to obtain housing
   - in an institution or treatment facility (for less than 30 days, on the streets or in a shelter prior to that, and he/she lacks the resources and support networks needed to obtain housing)
   - in an institution or treatment facility (for 30 or more consecutive days, being discharged within the week and no subsequent residence has been identified and he/she lacks the resources and support networks needed to obtain housing)
   - Living in someone else’s housing without the resources to obtain other housing AND have been notified that the arrangement is short-term (less than 30 days)

2. HUD-defined Chronically Homeless. Single, unaccompanied adults (18 and older) living on the streets/place not meant for human habitation/ for 12 months or more consecutively or 4 separate times over a three year period. Also must have a disabling health condition.

3. Extremely low-income and living with HIV/AIDS. Having annual incomes below the current standard for extremely low-income (30% of area median income) set by HUD and testing positive for HIV infection and/or having a diagnosis of AIDS.

1. Extremely low-income and living with mental illness. Having annual incomes below the current standard for extremely low-income (30% of area median income) set by HUD and having a diagnosis of severe and persistent mental illness.

What Counts as an EveryOne Home Unit

To count the unit/bed, it must meet all of the applicable criteria listed below:

◆ Permanent housing with no time-limit that is dedicated to one or more of the EveryOne Home target populations.
EveryOne Home housing goals include affordable housing units with supportive services (supportive housing) and without supportive services. Services are considered on-site if the services are available at least every two weeks on the same property as the unit OR the service program visits the site/unit at least every two weeks.

Tenant pays 30-50% of their income toward rent using current SSI/SSP income as the standard for affordability for single individual households OR the unit is dedicated to households with incomes at or below 30% of area median income.

Participation in services is voluntary. Tenants can not be evicted for non-participation in supportive services.

Tenant has their own private, lockable unit; bathroom and/or kitchen may be shared for SRO/Congregate units.

Tenant has a choice over their roommates in their unit and/or bedroom except for in licensed long-term residential facilities.

Licensed, permanent housing for individuals requiring care and supervision will count if the unit is targeted to one of the EveryOne Home target populations.
Exhibit D
Alameda County Urban County NSP Program
Target Areas
(Eligible Census Tracts)

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