

ALEXANDER WOODS TOWNHOUSE DEVELOPMENT

RFP FOR DEVELOPER

Introduction

The AHS invites eligible non profit and for profit developers to submit proposals for the construction and marketing of this residential development in a manner that will comply with NSP1 and SHIP program rules, regulations and intent.

The Hillsborough County Affordable Housing Services (AHS) utilized Neighborhood Stabilization Program 1 (NSP1) funds to purchase this partially constructed townhome development off of Maki Road, Plant City, Florida 33563 and commonly referred to as the Alexander Woods Townhomes. AHS purchased this property on August 18, 2010 with the intent of selecting a Developer to complete the development of this proposed 80-unit community in the Plant City NSP Target Area. Funding for the completion and new construction will be from a combination of NSP1 and State Housing Initiatives Partnership (SHIP) funds and project income from the sales of completed units to homebuyers.

The acquisition of the Alexander Woods site was funded by NSP1 and SHIP. Construction activities will be funded with a combination of governmental program funding (SHIP, NSP1 and/or other County grants/programs) and private capital secured by the selected project developer. The first phase of the project is the completion of the fourteen (14) existing townhome units. This component of the project has been bid and paid for by the AHS. All future development activities and funding will be the responsibility of the selected developer. It is intended that sales proceeds and private capital will be used to continue the phased construction of the site.

The timing and source of funding for the remaining 66 units will be driven by market conditions as well as the funding secured by the selected developer.

The developer will be required to review and if needed, modify the documents relating to the Homeowners Association for the owners at Alexander Woods to cover costs for the liability insurance and maintenance of the common areas.

Prior to responding to this request, each qualified applicant is urged to review the instructions carefully. Before submitting the proposal, check all documents for completion of all forms and sections. Inaccuracies, omissions and use of forms from previous competitions will be grounds for rejection.

Eligible Applicants

Nonprofit and for-profit entities are eligible applicants under this RFP. Any party on the Excluded Parties List System is considered ineligible for funding.

Project Specifics

Acquisition

The Alexander Woods site was acquired by Hillsborough County with NSP1 and SHIP funds in the amount \$1,034,500.

New Construction

The Alexander Woods site is partially developed. Fourteen (14) of the proposed eighty (80) townhomes will be completed and available for sale by the time of property closing with the awarded developer. The

remaining sixty-six (66) units have not been started and will be constructed in phases to be determined by the selected developer. Securing the necessary funding for the continued construction will be the responsibility of the selected developer. Potential sources of funding could include sales proceeds of the completed townhomes, additional NSP1 funding, SHIP funds, developer equity, conventional and non-conventional financing. It is important to note that the leveraging of County funds is critical to the success of this project and will be used to evaluate all proposals.

Developer Fees

The County will pay a developer fee (5-10%) that is appropriate for the degree of risk, the contribution of equity and equity enhancements, the proposed development schedule and the proposed total development budget. The timing of the payment of the developer fee will also be used in the evaluation of each proposal.

County Investment

AHS will convey the property at no cost to the developer. A deferred no interest mortgage and Land Use Restrictive Agreement will be recorded against the property. This mortgage will be satisfied upon completion of the entire project. The appraised value of the site was \$1,045,000.00 on June 11, 2010. AHS is also investing approximately \$200,000 in completing the construction of the 14 partially completed units.

In addition, AHS may provide up to \$1 million in deferred no interest construction funding to the selected developer. Repayment terms will be negotiated between AHS and the selected developer.

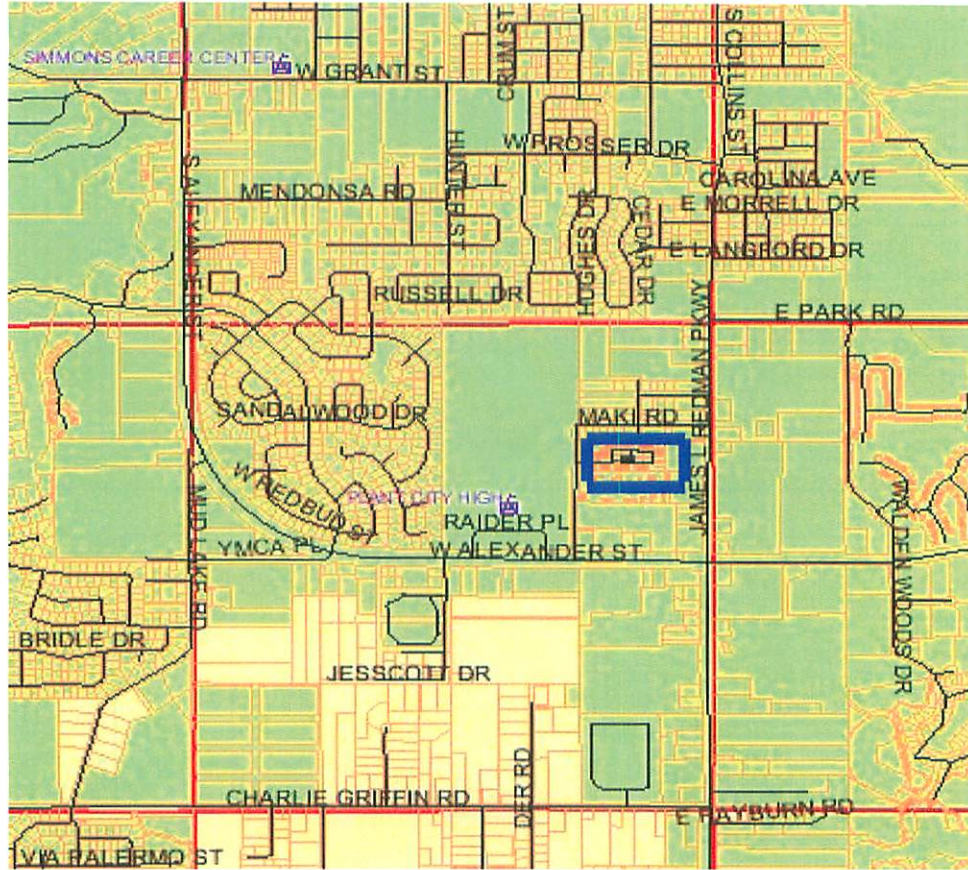
Sale of Units

The Sales price will be determined by the lenders appraisal of the unit or the amount of federal and state funds spent on each unit, whichever is less. The receipts from the sale of the fourteen (14) units will be reinvested back into the project as development funding. The development budget can reflect the reinvestment minus any marketing costs.

Project Description

Location

The Alexander Woods site is located in the Plant City NSP1 Target Area in Plant City, Florida. The map below identifies this location.

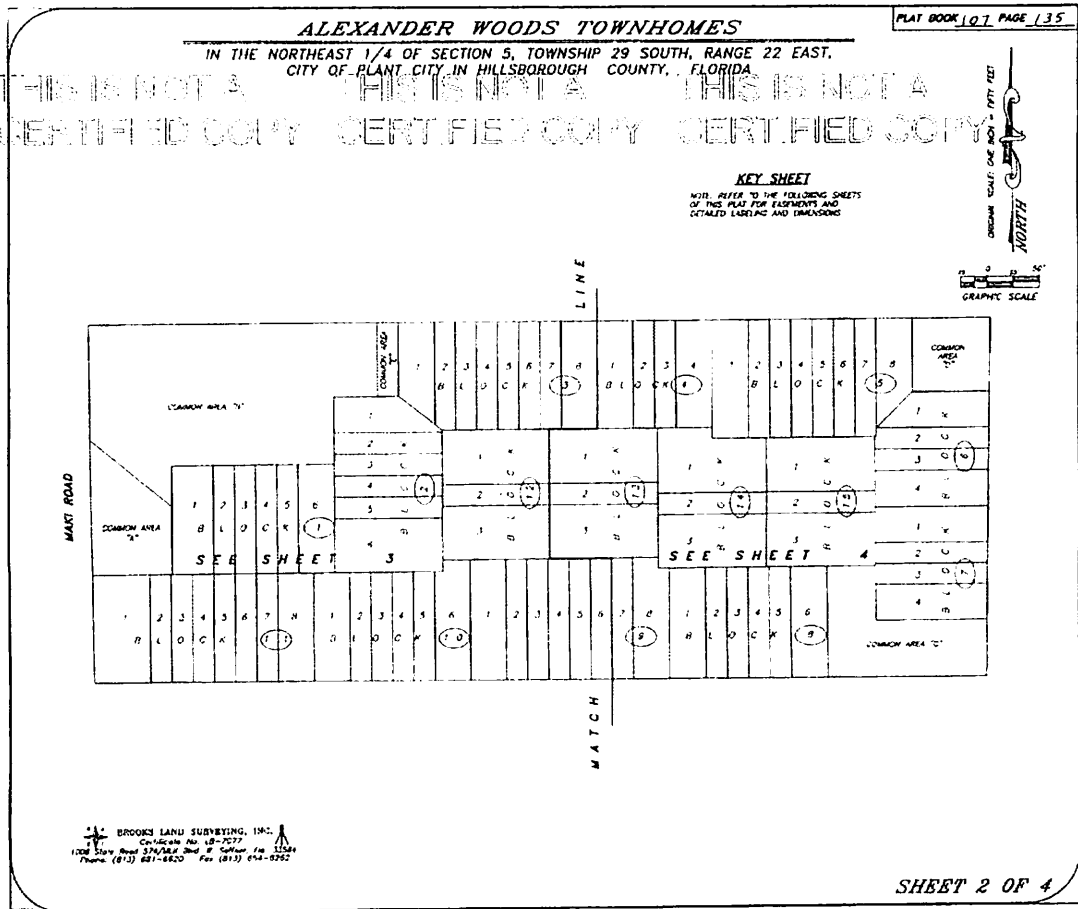


Site Development

The development is comprised of 85 individual parcels (80 developable lots and 5 common area lots) for a total of 6.58 acres. Part of the project is improved with two buildings which contain a total of fourteen (14) townhome units. There are ten (10) 2-Bedroom and four (4) 3-Bedroom units. The rehabilitation of these units will be completed by the time of closing with the awarded developer. The remainder of the site contains 5.08 acres and has been subdivided into sixty-six (66) townhome lots. These remaining sixty-six (66) townhome lots have not been developed. The road, curb, electrical and plumbing has been stubbed out for all sixty-six (66) lots. The concrete slab is in place for twelve (12) of the sixty-six (66) proposed units however due to the age of the partial construction elements, these slabs will have to be removed and replaced as part of the new construction.

Public water, sewer, gas, electricity and telephone service is available throughout the site.

Below is the subdivision plat for the project.



Book:07/Page135

Zoning and Land Use

The site is zoned R-2 (Multiple Family Dwelling) and has been approved for the development of up to 80 townhome units. It is located in the R-20 (Residential) land use category.

Flood Plain

The site is located in flood plain zone "X" which is not within a flood zone.

Site Condition

The partially completed units are in good condition and will require minimal construction to be completed. The remainder of the site has been cleared and prepared for construction. The existing two (2) development pads have been in place for some time and show signs of neglect and wear. Below are pictures of existing conditions:



Recreation and Open Space Requirements

The City of Plant City requires that all townhouse developments provide recreational amenities within the development for the primary use of the residents of that development. Plant City Code Section 102-1375 (3) requires the following recreational amenities based on the number of dwelling units contain within the development:

Recreational Amenities

<u>Number of Units</u>	<u>Amenities</u>
0-11	Playground
12-50	+1
51-100	+2
101-200	+3
201-300	+4
Over 300	Add 1 amenity for each 100 additional units

AHS will install the playground amenity prior to conveyance of the property to the project developer. It is the responsibility of the Developer to plan, fund, and install the additional amenities as required by the City of Plant City. The developers total project budget and project schedule shall include the required amenities.

Open Space

Plant City Code Section 102-1375 (2) states that 35% of the gross lot area shall be maintained as landscaped open space. The Developer is required to ensure that the total development budget and schedule include the required amount and type of open space.

Affordability Period

The Alexander Woods project will require staggered affordability periods between five (5) and twenty (20) years based on the amount of assistance provided to the end homebuyer. Hillsborough County will ensure long term affordability through the use of a Land Use Restrictive Agreement (LURA) with the Developer that will be recorded against the property. The LURA will be released once the new homebuyer closes on the property and funds are returned to the County or a new mortgage for homebuyer assistance is recorded.

The set aside breakdown of the units will be as follows:

- The initial 14 townhome units will be sold to homebuyers at the following income levels:
 - 2 units at or below 50% of Area Median Income.
 - 12 units from 0% - 120% of Area Median Income
- The remaining 66 units, to be constructed, will be sold to homebuyers at or below 120% of area median income

The County will monitor the developments that are assisted with SHIP funds during the first year of the affordability period to ensure that the specified units are affordable, made available to income eligible clients, and that the property(ies) continue to meet minimum housing quality standards.

Conveyance Terms

Each of the initial fourteen (14) townhome units currently constructed will be secured by a recorded mortgage and promissory note in favor of the County based on the prorata share of the acquisition and related soft costs.

Of the sixty-six (66) lots to be constructed, each lot will be secured by a recorded mortgage and promissory note in favor of the County based on the prorated share of the total site acquisition and soft

costs. Any new construction loans provided by AHS will be secured by a second recorded mortgage and note in the amount of the new construction and related soft costs for each unit.

The interest on these loans will be at zero percent (0%) and the principal deferred until required to be repaid or assumed by an eligible borrower whose income is at or below the income levels stated above.

Each townhome will not be sold for more than the combined NSP and SHIP investment for each property.

Income Eligibility Standards

All NSP units must be made available for purchase to individuals or families whose incomes are at or below 50% of area median income for two (2) of the initial fourteen (14) townhome units and two (2) of the second 12 units.

HOUSEHOLD INCOME LIMITS - 2012 Area Median Income (as of 12/01/2011)

	1 Person	2 People	3 People	4 People	5 People	6 People	7 People
50% AMI	\$19,750	\$22,600	\$25,400	\$28,200	\$30,500	\$32,750	\$35,000
80% AMI	\$31,600	\$36,100	\$40,600	\$45,100	\$48,750	\$52,350	\$55,950
120% AMI	\$47,400	\$54,240	\$60,960	\$67,680	\$73,200	\$78,600	\$84,000

RFP Requirements

The AHS invites eligible organizations to submit the following in the proposal.

- Summary of the organization's capacity, experience and ability to proceed
- Financing Plan (Including Leveraging of Funds and Proposed Developer's Fee)
- Development Plan (Including Development Budget and Schedule)
- Marketing Plan
- Past three years of audited financial statements

TIMELINE

January 17, 2012	Issuance of Public Notice
January 24, 2012 9:00 AM	Pre-Proposal Conference (held at AHS Office)
February 8, 2012 4:00 PM	Deadline for RFP Package Submissions
Week of February 13, 2012	Evaluation Committee Meeting
Week of February 13, 2012	Award Notification.

DEADLINE

Proposals are due no later than 4:00 PM, February 8, 2012 and must be date stamped by Affordable Housing Services for official time received. Proposal Packages are to be submitted at:

Hillsborough County
 Attention: Mike Marshall, Contracts Manager
 Affordable Housing Services
 1208 Tech Boulevard, Suite 300
 Tampa, FL 33619

Proposal Packages submitted by fax or email will not be accepted.

Prior to responding to this request, each qualified organization is urged to review the instructions carefully. Before submitting the proposal, check all calculations and review the package for completion of all forms and sections. Inaccuracies, omissions and use of forms from previous competitions will be grounds for rejection.

REVIEW PROCESS

With issuance of the Public Notice on January 17, 2012 the RFP Package will be available for distribution to eligible organizations. A Pre-Proposal Conference will be held at the AHS Office on January 24, 2012. The purpose of this Conference is to provide an overview of the project and allow for a question and answer session with prospective respondents.

Proposal packages are due by 4:00 PM on February 8, 2012. Late proposals will not be accepted. The RFP Packages will be opened and reviewed for completeness. If a package is determined to be ineligible, the applicant will be informed and the package will be withdrawn from consideration.

An Evaluation Committee will review and rank all eligible Proposal Packages. The Evaluation Committee will evaluate packages based on information provided in the original submission, but have the option of requesting additional information for clarification purposes.

Based on the review and ranking of the eligible proposals, interviews with selected respondents may be scheduled.

The Evaluation Committee will forward their recommendation for the award of the project to the Director of Affordable Housing Services. The Director will confirm the recommendation of the Evaluation Committee, or request additional information, as needed.

The Development and Funding Agreement for this project will be submitted to the Board of County Commissioners for approval in March 2012.

EVALUATION CRITERIA

All eligible, complete proposals will be reviewed and ranked by an Evaluation Committee. Proposals will be reviewed and scored on a competitive basis relative to the evaluation criteria below. **The maximum possible score is 100.**

Upon successful completion of the preliminary evaluation, the Evaluation Committee will review and rank each proposal based upon the evaluation criteria as set forth below:

- 1. Organizational Capacity and Relevant Experience (30 points).** Proposals will receive scores ranging from 0 to 30 points based upon the capacity of the organization and relative experience with similar projects and federal funding. Factors that will be considered include current staff and organizational capacity and the commitment of other funding sources. Please provide a list of projects your organization is currently working on and any anticipated projects that your organization will undertake in the next 1-3 years.
- 2. Financing Plan (30 points).** Proposals will receive scores ranging from 0 to 30 based upon the following criteria:

- a. Total Development Budget
- b. Development Proforma
 - i. Development Sources of Funds
 - ii. Development Uses of Funds
 - iii. Project Timing
 - iv. Projected Sales Assumptions
 - v. Anticipated Revenue
 - vi. Unit Mix
 - vii. Site Amenities
 - viii. HOA fees sources and uses
- c. Developer Equity Contribution
- d. Use and structure of AHS additional funding
- e. Leveraging of Federal, State and Local governmental funds with non-governmental funds.
- f. Proposed Developer Fee including amount and payment schedule
- g. Viability of Proposed Financing Plan

3. **Development Plan (20 points).** Proposals will receive scores ranging from 0 to 20 points based upon their proposed development plan. Factors that will be evaluated include the proposed Total Development Budget (including site amenities), proposed Development Schedule, timing of payment of Developer Fee and proposed Condominium Association structure and fee schedule.
4. **Marketing Plan to sell the units (20 points).** Proposals will be awarded points based upon the demonstrated ability to market and sell the townhome units. Factors such as past performance of selling new homes, staff experience, marketing technique and strategies to sell the 14 completed townhomes as soon as possible.

PROTEST PROCESS

In the event an applicant (1) did not submit a complete package and will not be considered for funding, (2) is ineligible to receive funding, (3) was not recommended for funding by the Evaluation Committee or was not confirmed by the Director of Affordable Housing Services, AHS will notify the applicant in writing. This notice will be sent via email and followed by certified mail with the return receipt requested.

If the applicant wishes to protest, it must do so not later than five (5) working days from the email date notifying the Applicant of the results of the recommendation. The applicant must send a letter to the Director of Affordable Housing Services that includes all pertinent documents and information necessary to support the applicant's position.

If Affordable Housing Services receives a protest within the five (5) working day period and the AHS Director concurs with the applicant, the applicant will be notified, and the protest process will be concluded.

If the AHS Director does not concur with the applicant, the applicant will be notified of the decision and that it may protest to the County Administrator. This notice will be sent via email and followed by certified mail with the return receipt requested.

If the applicant wishes to protest to the County Administrator, it must do so not later than Five (5) working days from the date the Director of Affordable Housing Services protest decision is sent. The applicant must contact the Director of Affordable Housing Services via email and send a letter to the AHS Director requesting that the protest be forwarded to the County Administrator.

If the AHS Director receives the protest within the five (5) working day period the AHS Director will provide information for review by the County Administrator. If the County Administrator concurs with the applicant, the applicant will be notified, and the protest process will be concluded.

If the County Administrator does not concur with the applicant, the applicant will be notified via email and followed by certified mail with return receipt requested of the County's intent to proceed. The County Administrator's response will constitute the applicant's final administrative action with regard to its protest.

If an applicant fails to protest or respond at any point in the process, the applicant waives its rights to protest. Protests or responses received after the five (5) day time period will not be considered.

The AHS Director has the authority to determine whether or not an award will be deferred pending the outcome of a protest.

DISCLAIMER

The County reserves the right to: 1) accept or reject any or all packages received; 2) waive any non-substantive deficiency or irregularity; 3) negotiate with any qualified applicant; 4) award a contract in what it believes to be the best interest of the County; 5) cancel this request, in part or its entirety, if it is deemed to be in the best interest of the County; 6) reject the package of any applicant who has previously failed to perform properly; 7) reject the package of any applicant who has failed to complete a contract within the specified timeframe; 8) reject the package of any applicant that is not in a position to fulfill a resulting contractual obligation. This RFP does not commit the County to award any contract, pay any pre-award expenses, or pay any costs incurred in the preparation of a package.

Contract Procedures for Successful Applicant

Mandatory training will be held for the successful applicant following a Notice of Award to provide information that will enable it to carry out its contractual responsibilities. Information is given on the proper completion of financial reports and the proper documentation required for reimbursements.

The AHS will monitor the successful applicant to ensure program compliance. Monitoring is an ongoing process that assesses the quality of program performance over the duration of the contract. Monitoring provides information for making informed judgments about program effectiveness and management efficiency, as well as identifies internal weaknesses that may contribute to fraud or abuse. The procedures established are to ensure program compliance with the requirements of the County and other applicable laws and regulations.

- **Desk Monitoring:** Desk monitoring is the review of pertinent program/project documents submitted by the successful applicant. Staff uses the contract agreement and its amendments as a basis for conducting the desk monitoring of specific projects. Quarterly reports and reimbursement requests forms submitted by the successful applicant is the primary information used by the staff for desk monitoring. Desk monitoring also includes a self-monitoring component where an audit of the department files is conducted through a data collection tracking system to ensure complete and accurate documentation is being maintained.
- **Internal & Onsite Monitoring:** Internal and onsite monitoring may include, but is not limited to: 1) Review of program and financial records, 2) Project files to verify supporting documentation is available and maintained, and 3) Internal policies and procedures as applicable to the program.

Onsite reviews will be conducted annually to assess capabilities of the successful applicant and its staff in implementing projects in accordance to the terms of the contract agreement.

- **Quarterly Reports:** Quarterly reporting is a requirement of the contract agreement. The information contained in the quarterly reports permits County staff to monitor program and financial performance of the successful applicant and allows early identification of potential compliance problems. The quarterly reports are required to be submitted regardless of the level of activity or expenditure.

Other Requirements:

Affirmative Marketing

All townhome units will require an affirmative marketing plan including affirmative marketing procedures and requirements. Affirmative marketing requirements and procedures must include:

1. Methods for informing the public, owners and potential tenants about fair housing laws and Hillsborough County's policies;
2. A description of what owners and/or the property managers will do to affirmatively market housing assisted with NSP1 and/or SHIP funds;
3. A description of what owners and/or the property managers will do to inform persons not likely to apply for housing without special outreach;
4. Maintenance of records to document actions taken to affirmatively market the units; and
5. A description of how efforts will be assessed and what corrective actions will be taken when requirements are not met.

Equal Opportunity

The requirements under Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) and implementing regulations in 24 CFR Part 1, together with section 109 of the Act (24 CFR § 570.602) which prohibit discrimination in any program or activity funded in whole or in part with funds made available with federal funds apply to this project.

Minority and Women's Business Enterprises

The requirements of Executive Orders 11625, 12432, 12138 and 24 CFR § 85.36(e) apply to NSP funds. Consistent with HUD's responsibilities under these Orders and with the County's Administrative Policy 06-08, the applicant must make efforts to encourage the use of minority and women's business enterprises in connection with funded activities. MBE reporting on contractor activity is required to be submitted to AHS quarterly.

Section 3

Section 3 of the Housing Development Act of 1968 will apply as amended (12 U.S.C. § 1701U), relative to the hiring and training of low and moderate income persons and the use of local Section 3 certified businesses. The purpose of Section 3 is to ensure that the employment and other economic opportunities generated as a result of HUD assistance or by a HUD-assisted project covered by Section 3 shall, to the greatest extent feasible, be directed to low and moderate income persons, particularly persons who are recipients of HUD housing assistance.

Labor Standards

Labor standards requirements apply to any construction, rehabilitation, alteration, or repair, including painting, flooring, and decoration, in an amount of \$2,000 or more, or 8 units or more, any part of which is federal money. These standards include:

- Paying workers the prevailing federal wages and fringe benefits effective at the time the job is contracted must be paid. (This information is provided by HUD through the Affordable Housing Department).
- Paying workers weekly and submitting certified payrolls weekly in the prescribed format. The payrolls must include details of each worker's job classification, hours worked, and wages and benefits paid. Certified payrolls must be reviewed as soon as they are received and compared to the appropriate federal wage decision. Any discrepancies must be resolved immediately.
- Workers must be interviewed on the job site regarding appropriate job classification and wages and benefits received. Employee interviews must be compared to the appropriate federal wage decision. Any discrepancies must be resolved immediately.
- Contractor and successful applicant must maintain all records for a minimum of five (5) years of the completion of the project.

Contractors and subcontractors must comply with Federal laws and regulations regarding labor standards and the HUD Handbook 1344.1 (Federal Labor Standard Compliance in Housing and Community Development Programs) as applicable to the project. All construction activity will follow current Plant City codes and ordinances and the Florida Building Code.

The prevailing wage provisions do not apply to volunteers who receive no compensation and are not otherwise employed at any time in the construction work. The provisions also do not apply to members of a family providing labor in exchange for acquisition of a property for homeownership or in lieu of, or as a supplement to, rent payments. For more information about labor standards, see 24 CFR § 570.603. AHS has procured a Davis Bacon Wage Consultant to assist in processing and reporting Davis Bacon activities.

Accessibility

In addition to the Fair Housing Act, HUD has enforcement obligations under the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), which provide additional protections to persons with disabilities. Together, these federal laws require housing providers, state and local governments, and all recipients of federal financial assistance to ensure accessibility for persons with disabilities. Public facilities and buildings, as well as all projects receiving federal financial assistance, must be designed, constructed and altered to be fully accessible to people with mobility and sensory impairments.

The Fair Housing Act applies to both public and private housing. Under the Fair Housing Act, new multifamily buildings must be designed and constructed to have fully accessible common areas. These buildings must also incorporate basic adaptive features in ground floor and elevator-accessible dwelling units to allow for use by people with disabilities. In addition to these requirements, when housing is created using federal funding, at least 5% of a project's dwellings must be fully accessible to people with mobility impairments, and an additional 2% must be accessible to people with vision and hearing impairments.

Recipients of HUD funding include, but are not limited to, public housing authorities, CDBG entitlement entities, and private organizations receiving HUD grant monies. Recipients must ensure full compliance with these federal laws and must also ensure compliance by all subrecipients to whom funds are distributed. The Uniform Federal Accessibility Standards, the ADA Accessibility Guidelines, and the Fair Housing Act Accessibility Guidelines set forth architectural specifications for features of accessible design, such as ramps, passable doorways, and Braille signage. The recipient must comply with the

applicable provisions of the Americans with Disabilities Act (42 U.S.C. §§ 12101-12213) and assist the County with complying with the implementing regulations at 28 CFR Part 35.

Conflict of Interest Provisions

Applicants must guarantee that no member of, or Delegate to, the Congress of the United States shall be admitted to any share or part of this contract or to any benefit to arise from the same. Additionally, the applicant must agree that no members of the governing body of the locality in which the applicant is situated, no other public official of such locality or localities, and no person, unless expressly permitted by HUD, who is an employee, agent, consultant, officer, or elected or appointed official of the applicant, and who exercises or has exercised any functions or responsibilities with respect to NSP or SHIP assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the NSP or SHIP assisted activity, or have any interest in any contract, subcontract, or agreement with respect thereto, or with respect to the proceeds thereunder, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one (1) year thereafter.

The applicant must agree that the codes of conduct provisions in 24 CFR § 84.42 and 24 CFR § 85.36 shall apply to the procurement of supplies, equipment, construction and services. In all cases not governed by 24 CFR 84.42 OR 24 CFR § 85.36, the provisions of 24 CFR § 570.611 shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the applicant or assistants of the applicant to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to 24 CFR § 570.202; or grants, loans or other assistance to businesses, individuals, and other private entities pursuant to 24 CFR §§ 570.203, 570.204, 570.455, or 570.703(i)).

The applicant must represent that it has no interest, and shall not acquire such interest, financial or otherwise, direct or indirect, nor engage in any business transaction or professional activity or incur any obligation of any nature which would conflict in any manner with the performance of scope of service required hereunder.

Without receiving prior written authorization by the County, the applicant shall not (i) retain any individual or company with whom the applicant or any individual member thereof has a financial or other conflict of interest; nor (ii) in fulfillment of this request, do business with a for-profit entity in which the applicant or any individual member has a financial or other interest therein.

The applicant warrants to the County that no gifts or gratuities have been or will be given to any County employee or agent, either directly or indirectly, to obtain an award under this request.

Rehabilitation/New Construction Standards

All housing for this project must meet local building codes including the Florida Building Code, and related ordinances pertaining to providing housing that is decent, safe, sanitary, and fit for habitation. Hillsborough County's Written Rehabilitation Standards will be used to describe in detail the specifications for the work needed to bring substandard housing into compliance with the property maintenance codes required by Plant City.

Maintenance of Records

The successful applicant will keep adequate records and supporting documentation applicable to this request. Said records and documentation will be retained by the applicant for a minimum of five (5) years from the date the loans provided to the applicant under this RFP are satisfied or assumed by an eligible individual or family, or the affordability period expires, whichever is later. The County and its authorized agents shall have the right to audit, inspect and copy all such records and documentation as

often as the County deems necessary during the period of this contract and during the period of five (5) years thereafter. The five (5) year time period will be extended until audit findings are issued if an audit is initiated during the five(5) year period. Such activity shall be conducted only during normal business hours. The County, during the period of time expressed by the preceding sentence, shall also have the right to obtain a copy of and otherwise inspect any audit made at the direction of the applicant as concerns the aforesaid records and documentation.