



**525 South Lawrence Street
Montgomery, Alabama 36104**

REQUEST FOR PROPOSALS (RFP) 2022-06

PROJECT BASED VOUCHERS (PBV) SERVICES

DATE ISSUED: Tuesday, March 15, 2022

TYPE OF PROJECT: The Montgomery Housing Authority (MHA) is seeking proposal from property owners and developers seeking federal rent subsidies for its Project Based Vouchers (PBV) Program.

CONTACT PERSON: Sheila Brown, Procurement/Contract Administrator
sbrown@mhatoday.org

LAST DAY FOR QUESTIONS: Tuesday, March 29, 2022 at 3:00 p.m. (CST)

SUBMISSION DEADLINE: Thursday, April 7, 2022 at 12:00 p.m. (CST)

SUBMISSION ADDRESS: Sheila Brown, Procurement/Contract Administrator
Montgomery Housing Authority
525 South Lawrence Street
Montgomery, Alabama 36104

Separate sealed proposals will be accepted at the MHA's, Procurement/Contract Office, 525 South Lawrence Street, Montgomery, Alabama 36104, until the date and time noted above. Proposals will be held in confidence and not released in any manner until after contract award.

The responsibility for submitting a response to this RFP at the MHA on or before the stated time and date will be solely and strictly the responsibility of the respondent. The offeror shall wholly absorb all costs incurred in the preparation and presentation of the proposal.

Copies of this RFP are available by visiting MHA's website at www.mhatoday.org/procurement, visiting the Housing Authority Marketplace at <https://ha.internationaleprocurement.com>, picked up at MHA's procurement office located at 525 S. Lawrence St., Montgomery, AL 36104 or can be requested in writing by emailing Sheila Brown at sbrown@mhatoday.org.

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PART I – GENERAL INFORMATION

1.1 Introduction

The Montgomery Housing Authority (MHA) is soliciting competitive proposals from qualified property owners and developers with a documented track record of providing the required services through a formal Request for Proposal (RFP) process. Proposals should demonstrate detailed plans on how the respondent intends to provide the required services in a manner that will result in the successful and timely completion of the service(s). In addition, the proposal should demonstrate the respondent's capacity and readiness to perform the Scope of Services immediately upon execution of a contract with MHA. Finally, the proposal should include evidence of the respondent's previous experience and qualifications relative to the provision of such services.

1.2 Purpose

The intent and purpose of this Request for Proposal (RFP) is to solicit sealed proposals to establish a term contract with a qualified property owner and/or developer to provide Project Based Vouchers (PBV) Services to the Montgomery Housing Authority (MHA).

1.3 Method of Solicitation

MHA is soliciting competitive proposals from qualified firms and/or individuals with a documented record of accomplishments of providing the required services through a formal RFP process.

1.4 Obtain Copies of this Solicitation

Single copies of the RFP package may be obtained, at no cost by:

1. Visiting the MHA's website at: www.mhatoday.org/procurement
2. Requesting via email to sbrown@mhatoday.org
3. Visiting the Housing Authority Marketplace at: <https://ha.internationalprocurement.com>
4. Copies may also be picked up in person at:

Montgomery Housing Authority
Procurement/Contract Office
525 South Lawrence Street
Montgomery, Alabama 36104

PART II – INSTRUCTIONS FOR SUBMITTING PROPOSALS

2.1 Submission of Proposals

Respondents should submit **one (1) original, one (1) hard copy and one (1) electronic device copy** of their proposal. The original submission shall be dated and signed by an authorized official of the company. Proposals must be submitted in a ***sealed envelope*** that shows the firm's name and address, and **clearly** written on the outside of the sealed envelope must be the words **“Project Based Vouchers (PBV) Services – (RFP 2022-06) – Thursday, April 7, 2022 at 12:00 p.m. (CST)”**. The electronic device must be **labeled with the RFP number ‘RFP 2022-06’ and the property owner and/or developer’s name and shall be enclosed in the sealed envelope with the hard copies. Both the electronic submission and hard copies must be received together.** The electronic proposal must contain the same information as required with the original and copy submissions and must be compiled as one single document (no individual pages).

Proposals received after the deadline date and time **may be** determined unacceptable. Refer to form **HUD 5369-B, Section 6**, regarding late submissions and withdrawals.

All proposals must be submitted in accordance with the conditions and instructions provided herein and must remain open for acceptance for one hundred and eighty (180) days from the due date. Proposals should demonstrate detailed plans on how the Respondent intends to provide the required services in a manner that will result in the successful and timely completion of the service(s). In addition, the proposal should demonstrate the Respondent's capacity and readiness to perform the Scope of Services immediately upon execution of a contract with MHA. Finally, the proposal should include evidence of the Respondent's previous experience and qualifications, relative to the provision of such services.

2.2 Interpretation/Questions

During the period between issuance of this RFP and the proposal due date, no oral interpretation of the RFP's requirements will be given to any prospective respondent. Requests for interpretation must be made, in writing, at least five (5) days before the submission due date and time to: Email: sbrown@mhatoday.org.

2.3 Addendum and Update Procedures for the RFP

During the period of advertisement for this RFP, MHA may wish to amend, add to, or delete from, the contents of this RFP. In such situations, MHA will issue an addendum to the RFP setting forth the nature of the modification(s). MHA will email (or send via regular postal mail or fax upon written request) any addenda to Respondents of this RFP solicitation. Interested parties may also view addenda on MHA's website www.mhatoday.org, requesting from the Procurement Department, Sheila Brown, sbrown@mhatoday.org or visiting the Housing Authority Marketplace at ha.internationaleprocurement.com. It shall be the responsibility of each Respondent to ensure they have any/all additional addenda relative to this RFP.

2.4 Proposal Format

All proposals shall be submitted in 8 ½ x 11-inch format, preferably in three (3) ring binders. Larger size pages or inserts may be used, provided they fold into 8 ½ x 11 inches. All copies of the submittal must be identical in content and organization. The format of the respondent's proposal should be structured the same as the format of the RFP. Proposals should be organized into sections and tabbed for ease of review. Respondents must provide a comprehensive Table of Contents at the front of the proposal. The proposal also must be organized in response to the Submission Requirements. The front cover of the proposal should bear the name and number of the RFP, the date, and the Respondent's name, address, phone number and email address.

2.5 Submittal Forms

Provided, as a part of the proposal, all required certifications and HUD forms, licenses and proof of insurance. All forms that require a signature or initials must bear an original initial or signature.

2.6 Acceptance of Proposals

Proposals must be signed, sealed, and received in completed form at MHA, no later than the proposal closing date and time. Proposals submitted after the designated closing date and time may not be accepted, and could potentially be returned unopened to the originator.

MHA reserves the right to accept or reject any or all proposals, to take exception to these RFP specifications or to waive any formalities. Respondents may be excluded from further considerations for failure to comply with the specifications of this RFP.

MHA reserves the right to reject the proposal of Respondents, who have previously failed to perform properly or to complete on time, a contract of similar nature. MHA also reserve the right to reject proposals of Respondents who habitually, without just cause, neglect the payment of bills or disregard their obligations to subcontractors, providers of materials, or employees.

2.7 Time for Reviewing Proposals

Proposals received prior to the closing date and time will be securely kept, unopened until the closing date and time. Proposals received after the closing date and time may not be considered. MHA's Evaluation Committee, appointed by the President/CEO, will evaluate all proposals properly received.

The Evaluation Committee will analyze proposals within the 180 days of the date and time due and make a recommendation for award of contract or not to award, to the MHA President/CEO.

2.8 Withdrawal of Proposals

Proposals may be withdrawn by written notice received any time before the contract award. Proposals may be withdrawn in person by Respondent or its authorized representative if the identity of such representative is established and a signed receipt of the withdrawn proposal is received by MHA prior to the contract award.

2.9 Award of Contract

Contract shall be awarded to the Respondent submitting a proposal according to the evaluation criteria contained herein, provided the proposal is in the best interest of MHA. MHA reserves the right to interview/demonstration one or more respondents whose submittals are evaluated above the acceptable 85 points as detailed in Section 5.1 Proposal Evaluation/Contract Award. MHA also reserves the right to submit additional questions to one or more respondents whose submittals are evaluated above the acceptable 85 points as detailed in Section 5.1 Proposal Evaluation/Contract Award. These questions maybe posed to respondents before or after being interviewed/demo. MHA reserves the right to award one or more awards for these services. The Respondent(s) to whom the award is made will be notified at the earliest practical date.

2.10 HUD Debarment and Suspension List

The Respondents and all subcontractors' names or businesses must not appear on the HUD's Debarment and Suspension list.

2.11 Certification of Legal Entity

Prior to execution of the contract agreement, the Respondent shall certify that joint ventures, partnerships, team agreements, new corporations, or other entities that either exist or will be formally structured are, or will be, legal and binding under the Alabama State Law and the City of Montgomery, Alabama.

2.12 Cost Borne by Respondent

All cost related to the preparation of this RFP and any related activities are the responsibility of the Respondent. MHA assumes no liability for any costs incurred by the Respondent throughout the entire selection process.

2.13 Best Available Data

All information contained in this RFP is the best data available to MHA at the time the RFP was prepared. The information given in the RFP is not intended as representation having binding legal effect. This information is furnished for the convenience of Respondents and MHA assume no liability for any errors or omissions.

2.14 Contact with MHA Staff, Board Members and Residents

Beyond the above referenced written communications, Respondents and their representatives may not make any other form of contact with MHA staff, Board members, or residents. Any improper contact by or on behalf of Respondents may be grounds for disqualification.

2.15 Licenses and Insurance

The awarded individual/firm shall have and maintain all required licenses necessary to conduct business in the City of Montgomery and the State of Alabama. All licenses must be kept up to date for the duration of any ensuing contract. Copies of all licenses must be in the Procurement/Contract office prior to contract execution.

Prior to contract award and for the duration of the contract, the successful proposer will be required to provide proof of insurance (as outlined) and the MHA shall be named as an additional insured.

| | |
|--|-----------------------------|
| Professional Liability (and/or Errors & Omissions) Coverage | \$1,000,000 each occurrence |
| General Liability Coverage | \$1,000,000 each occurrence |
| Comprehensive Automobile Liability Coverage | \$1,000,000 each occurrence |
| Worker's Compensation with Statutory Limits of the State of AL | |

2.16 Respondent Responsibilities

Each Respondent is presumed by MHA to have thoroughly studied this RFP and become familiar with the contents, locations, and nature of requests. Any failure to understand completely any aspect of this RFP is the responsibility of the Respondent.

2.17 No Claim Against MHA

The Respondent shall not obtain, by submitting a proposal in response to this RFP, any claim against MHA or MHA's property for reason of all or any part of any of the following: the selection process; the rejection of any or all offers; the acceptance of any offer; entering into any agreements or the failure to enter any agreements; any statement, representations, acts or omissions of MHA or any person or entity acting on its behalf; the exercise of any discretion set forth in or concerning any of the foregoing; and any other matters arising out of the foregoing.

PART III – SUBMISSION REQUIREMENTS

3.1 Tabbed Proposal Submittal

The Agency intends to retain the Contractor pursuant to a "Best Value" basis, not a "Low Bid" basis ("Best Value," in that the Agency will, as detailed within the following Section 5.2, consider factors

other than cost in making the award decision). Therefore, so that the Agency can properly evaluate the offers received, all proposals submitted in response to this RFP must be formatted in accordance with the sequence noted within the table below. Each category must be separated by numbered index dividers, which number extends so that each tab can be located without opening the proposal and labeled with the corresponding tab reference also noted below. None of the proposed services may conflict with any requirement the Agency has published herein or has issued by addendum.

| RFP Section | Tab No. | Description |
|-------------|---------|---|
| 3.1.1 | 1 | Form of Proposal. This 2-page Form must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal. |
| 3.1.2 | 2 | <i>Form HUD-5369-C Certifications and Representations of Offers Non-Construction, Form HUD SF-LLL Disclosure of Lobbying Activities, Form HUD 50071 Certification of Payments to Influence Federal Transactions, Form HUD 50070 Certification for a Drug-Free Workplace and Form HUD 2530 Previous Participation Certification.</i> These forms must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal. |
| 3.1.3 | 3 | Profile of Firm Form. This 2-page Form must be fully completed, executed, and submitted under this tab as a part of the proposal submittal. |
| 3.1.4 | 4 | Proposed Services. The proposer shall place under this tab documentation further explaining the proposer's services and showing how the proposer intends to fulfill the requirements of the Scope of Work listed in the preceding Section Part IV herein, including, but not limited to: |
| 3.1.4.1 | | The proposer's SUBMISSION OF THE TERM OF CONTRACT REQUESTED for the HAP contract . |
| 3.1.4.2 | | The proposer's SITE LOCATION AND PROJECT DETAILS for the configuration of assisted and unassisted units as well as other details about the project. |
| 3.1.4.3 | | The proposer's OWNER/DEVELOPER DEVELOPMENT CAPACITY ability to plan, finance, construct or rehabilitate affordable or subsidized housing. |
| 3.1.4.4 | | The proposer's PROJECT FEASIBILITY/READINESS development plan. |
| 3.1.4.5 | | The proposer's OWNER/DEVELOPER MANAGEMENT/RESIDENT SERVICES ability to identify team members in leasing and managing housing supports by HCV program (include past projects). |
| 3.1.4.6 | | The proposer's BUSINESS TERMS that best benefit MHA, including a share of the developer fee or project cash flow. |
| 3.1.4.7 | | An explanation and copies of forms that will be used and reports that will be submitted and the method of such reports (i.e. written; fax; Internet; etc.). |
| 3.1.4.8 | | A complete description of the products and services the firm provides outside of the request services, if applicable. |

| | | |
|----------------|-----------|---|
| 3.1.4.9 | | Proposed Engagement Letter. A copy of the proposer's proposed engagement letter. Please note that the Agency WILL NOT accept this engagement letter as the eventual contract but will consider including the proposed engagement letter as an appendix to the eventual contract that is executed. The Agency retains the right to (and most likely will) require certain revisions to the engagement letter, especially of proposed terms that either, in the Agency's opinion, conflict with the terms listed within the contract. |
| 3.1.5 | 5 | Managerial Capacity/Financial Viability/Staffing Plan. The proposer's entity must submit under this tab a concise description of its managerial and financial capacity to deliver the proposed services, including brief professional resumes for the persons identified within areas (5) and (6) of the, <i>Profile of Firm Form</i> . Such information shall include the proposer's qualifications to provide the services; a description of the background and current organization of the firm (including a current organizational chart). |
| 3.1.6 | 6 | Client Information. The proposer shall submit a listing of former or current clients, including but not limited to any other Public Housing Authority, for whom the proposer has performed similar or like services to those being proposed herein. The listing shall, at a minimum, include: |
| 3.1.6.1 | | The client's name; |
| 3.1.6.2 | | The client's contact name; |
| 3.1.6.3 | | The client's telephone number and email address; |
| 3.1.6.4 | | A brief description and scope of the service(s) and the dates the services were provided. |
| 3.1.7 | 7 | Equal Employment Opportunity/Supplier Diversity. The proposer must submit under this tab a copy of its Equal Opportunity Employment Policy and a complete description of the positive steps it will take to ensure compliance, to the greatest extent feasible, with the regulations detailed within the following Section 3.6 herein pertaining to supplier diversity (e.g. small, minority-, and women-owned businesses). |
| 3.1.8 | 8 | Subcontractor/Joint Venture Information. The proposer shall identify hereunder whether or not he/she intends to use any subcontractors for this job, if awarded, and/or if the proposal is a joint venture with another firm. Please remember that all information required from the proposer under the preceding tabs must also be included for any major subcontractors (10% or more) or from any joint venture. A Profile of Firm form must be submitted for all subcontractors/joint venture listed in the proposal. |
| 3.1.9 | 9 | Disadvantage Business Enterprise/Section 3 Business Compliance Certification Documentation. For any proposer claiming a Section 3 Business Certification, he/she shall under this tab include the fully completed and executed Section 3 Compliance Certification Form and any documentation required by that form. |
| 3.1.10 | 10 | Other Information. The proposer may include hereunder any other general information that the proposer believes is appropriate to assist the Agency in its evaluation. |

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|---------------|---|
| 3.1.11 | No Information Placed under a Tab. If no information is to be placed under any of the above noted tabs, please place there under a statement such as "NO INFORMATION IS BEING PLACED UNDER THIS TAB" or "THIS TAB LEFT INTENTIONALLY BLANK." <u>DO NOT</u> eliminate any of the tabs. |
| 3.1.12 | Proposal Submittal Binding Method. It is preferable and recommended that the proposer bind the proposal submittals in such a manner that the Agency can, if needed, remove the binding (i.e. "comb-type;" etc.) or remove the pages from the cover (i.e. 3-ring binder; etc.) to make copies, and then conveniently return the proposal submittal to its original condition. |

3.2 Proposal Cost

Respondents shall provide a firm total cost along with a detailed itemized breakdown of total cost. This information shall be placed under **Tab 4 Proposed Services**. Anticipated travel cost, if applicable, must be included and clearly identified.

3.3 Required Certifications/Forms

Each proposal shall contain a copy of the following HUD forms, which are attached and may be downloaded from the Procurement page of the MHA website: www.mhatoday.org/procurement.

| | |
|-----------------|--|
| | Section 3 Compliance Certification Forms (if applicable) |
| | Form of Proposal |
| | Profile of Firm Form |
| | Form HUD-5369-B Instructions to Offerors – Non-Construction |
| Form HUD 5369-C | Certifications and Representations of Offerors – Non-Construction Contract |
| Form HUD SF-LLL | Disclosure of Lobbying Activities |
| Form HUD 50071 | Certification of Payments to Influence Federal Transactions |
| Form HUD 50070 | Certification for a Drug-Free Workplace |
| Form HUD 2530 | Previous Participation Certification |

PART IV - SCOPE OF SERVICES

The Montgomery Housing Authority (MHA) is requesting proposals from property owners and developers seeking federal rent subsidies for its Project-Based Vouchers (PBV) Program. Project - Based Vouchers are vouchers from the regular tenant-based Housing Choice Voucher (HCV) Program. The goal of this request for PBV proposals is to provide affordable housing opportunities for persons of low-income in Montgomery Housing Authority jurisdiction, which include the counties of Montgomery, Autauga, and Elmore. The PBV program ties rental assistance directly to a specific unit rather than the traditional tenant-based Housing Choice Voucher (HCV) which is tied to a participant.

MHA will consider awarding of up to 50 units under this solicitation to the successful property owners and/or developers.

A detailed description of the scope of services is attached to the RFP as 'Exhibit A-Scope of Work for Project Based Vouchers (PBV) Services'. Respondents are required to submit the Application Form and Project Summary attached to 'Exhibit A'.

Contract Terms

Owners/Developers of projects selected under this program may be awarded a Housing Assistance Payment (HAP) Agreement with MHA for up to twenty (20) years, subject to availability of funding. The owner of an eligible unit will be required to enter into a HUD-prescribed Housing Assistance Payments (HAP) contract with MHA. The term of the HAP contract will be between (1) year and twenty (20) years.

PART V – PROCUREMENT PROCESS

5.1 Proposal Evaluation/Contract Award

Proposals received in response to this solicitation will be evaluated using the following evaluation process.

- a. The evaluation process will be used to determine the firms that will comprise the short list, from which final selection for contract award will ultimately be made.
 - (1) During the evaluation process, technical proposals will be evaluated and scored by an Evaluation Committee.
 - (2) Each member of the Evaluation Committee will score each proposal.
 - (3) Scoring will be based on predetermined Evaluation Criteria. The available points associated with each area of consideration are shown below in Section 5.2.
 - (4) The results of the evaluation, of both technical and cost proposals, will be used to determine those proposals to be considered in the competitive range.
 - (5) Proposals will be considered acceptable if they have a minimum score of 85 points and above.
 - (6) The Authority may request that proposers, whose submittals are above the minimum score of 85 points to make oral presentations (i.e. interviews/demos) concerning their qualifications to the Authority's Evaluation Committee. The Authority reserves the right to interview one or more respondent(s).
 - (7) Cost proposals will be considered acceptable if the proposed cost is clearly not excessive compared to the proposed costs of other Respondents with acceptable technical proposals.
 - (8) Respondents with acceptable technical and cost proposals may be requested to supply additional information to assist in completing the due diligence review. Failure to satisfactorily complete the due diligence review within the timeframe established by MHA will result in disqualification of Respondents proposals.
- b. Scoring will be based upon how well the proposal meets the criteria established in this RFP.

- c. MHA reserves the right to make no award or decline to enter negotiations should it believe that no Respondent to this RFP would be capable of delivering the necessary level of service within an acceptable price range and/or the time period.
- d. The Evaluation Committee will evaluate the merits of proposals received in accordance with the evaluation criteria stated in the RFP and formulate a recommendation. However, while a numerical rating system may be used to assist the Evaluation Committee in selecting the competitive range (if necessary) and making an award recommendation decision, the award decision is ultimately a business decision that will reflect an integrated assessment of the relative merits of the proposal using the criteria and their relative weights disclosed in the RFP.

5.2 Evaluation Criteria:

| Selection Criteria Description | Possible Points |
|--|-----------------|
| <ul style="list-style-type: none"> Term of Contract Requested : The length of the effective term of the HAP contract proposed. Highest scores will be awarded to submissions proposing a maximum term of 20 years. | 5 |
| <ul style="list-style-type: none"> Site Location and Project Details: The location of the proposed project, as well as the configuration of assisted and unassisted units and other details about the project. Scores will be awarded to projects based on the following: <ol style="list-style-type: none"> a. The number of PBVs requested and the number of PBVs as a proportion of the total unit count. (Higher numbers and proportions scored most favorably, within regulatory guidelines). b. The extent to which vital institutions or amenities are available on-site, or in the immediate area, to residents of the project. c. The extent to which the proposed PBV units are suitable and appropriate for families eligible to participate in the Housing Choice Voucher program. d. The quality of the proposed housing design, including, for example: the size of the units and number of bedrooms (units with fewer bedrooms scored most favorably), the accessibility of the units, and the proposed features or appliances included in the units. e. Whether or not the project is located within a census tract with a concentration of poverty equal to or greater than 20%, subject to any mitigating factors described hereinabove for proposed projects within such a tract. | 25 |

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|---|----|
| <p>f. For newly constructed units:</p> <ul style="list-style-type: none"> i. Whether or not the project is located within an area of minority concentration, subject to any mitigating factors described hereinabove for proposed projects within such an area; and ii. Whether or not the proposed site is seriously detrimental to family life, or where substandard dwellings or other undesirable conditions predominate. | |
| <ul style="list-style-type: none"> • Owner/Developer Development Capacity: Highest scores will be awarded to proposals which best demonstrate the general experience of identified team members in planning, financing, and constructing or rehabilitating affordable or subsidized housing. Direct experience with projects supported by the Housing Choice Voucher program will be considered most favorably. Highest-scoring proposals will describe specific examples of past projects, including the location, unit count, and funding sources of such projects. | 20 |
| <ul style="list-style-type: none"> • Project Feasibility/Readiness: The feasibility of the specific project proposed. Scores will be based on the following criteria: <ul style="list-style-type: none"> a. Evidence that the Owner/Developer has already obtained site control. b. The quality of the overall development plan for the project, including financial commitments. c. The extent to which the proposal complements other local activities (HOPE VI, HOME, CDBG, LIHTC, etc.). d. Demonstrated ability to meet deadlines outlined in the proposal. e. If applicable, the strength of the proposed relocation plan and its compliance with the Uniform Relocation Act located on the Federal Register at www.federalregister.gov. | 15 |
| <ul style="list-style-type: none"> • Owner/Developer Management/Resident Services: Highest scores will be awarded to proposals which best demonstrate the general experience of identified team members in leasing and managing housing supported by the Housing Choice Voucher program. Highest-scoring proposals will describe specific examples of past projects. MHA may also consider experience with other relevant housing programs (such as LIHTC), as well | 15 |

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| as the provision of additional amenities or services provided to residents on a voluntary basis. | |
| <ul style="list-style-type: none"> • Business Terms. Proposals will be scored based on Owner/Developer's proposal of other business terms which benefit MHA, including a share of any developer fee or project cash flow. Proposals that do NOT have a proposed fee share with MHA will receive zero points for this criterion. | 10 |
| DBE/Section 3 | 10 |
| Total Points | 100 |

5.3 Summary of Evaluation Criteria

Evaluation Criteria Points

| CRITERIA | POINTS |
|--|-------------------|
| A. Term of Contract Requested: | 5 Points |
| B. Site Location/Poverty De-concentration/# of 1 Bdrm units: | 25 Points |
| C. Owner/Developer Development Capacity: | 20 points |
| D. Owner/Developer Management/Resident Services: | 15 points |
| E. Project Feasibility/Readiness: | 15 points |
| F. DBE/Section 3: | 10 points |
| G. Business Terms | <u>10 points</u> |
| TOTAL | 100 points |

The Montgomery Housing Authority

525 South Lawrence Street
Montgomery, Alabama 36104

REQUEST FOR PROPOSALS (RFP) 2022-06

PROJECT BASED VOUCHERS (PBV) SERVICES

COST PROPOSAL FORM

TYPE OF PROJECT: The Montgomery Housing Authority (MHA) is seeking proposals from property owners and developers seeking federal rent subsidies for its Project Based Vouchers (PBV) Program.

DATE ISSUED: Tuesday, March 15, 2022

CONTACT PERSON: Sheila Brown, Procurement/Contract Administrator
sbrown@mhatoday.org

LAST DAY FOR QUESTIONS: Tuesday, March 29, 2022 @ 3:00 p.m. (CST)

SUBMISSION DEADLINE: Thursday, April 7, 2022 @ 12:00 p.m. (CST)

FILL IN BELOW AND SIGN. PRICES ARE GUARANTEED FOR A MINIMUM OF 180 DAYS FROM PROPOSAL DEADLINE DATE.

COMPANY NAME: _____

BY: _____
Signature Written Name Title Date

ADDRESS: _____
Street / POB City State ZIP

PHONE: _____ FAX: _____ EMAIL: _____

Exhibit A-Scope of Work

Project Based Vouchers (PBV) Services

The Montgomery Housing Authority (MHA) is requesting proposals from property owners and developers seeking federal rent subsidies for its Project-Based Vouchers (PBV) Program. Project-Based Vouchers are vouchers from the regular tenant-based Housing Choice Voucher (HCV) Program. The goal of this request for PBV proposals is to provide affordable housing opportunities for persons of low-income in Montgomery Housing Authority jurisdiction, which include the counties of Montgomery, Autauga, and Elmore. The PBV program ties rental assistance directly to a specific unit rather than the traditional tenant-based Housing Choice Voucher (HCV) which is tied to a participant.

The goals and objectives of the program are to contribute to the upgrading and long-term viability of the city's housing stock; increase the supply of affordable housing and locational choice for very low-income households, deconcentrate poverty, promote the coordination and leveraging of resources of public, semi-public, or non-profit agencies with compatible missions, support MHA's affordable housing goals, and support the nationwide initiative to address homelessness.

Under Federal law and regulations, Public Housing Authorities may project-base up to 25% of their voucher funding for projects meeting program guidelines. The number of units that may be project-based in an individual project is the greater of 25 units or 25 % of the units in a project.

PBV Program Overview

Eligible families receive rental assistance by agreeing to live in existing, newly constructed or rehabilitated PBV units and continue to receive assistance as long as they maintain their program eligibility and reside in the specific project-based dwelling units. PBV participants must have incomes that do not exceed 50% of area median income (AMI). After living in a PBV unit for twelve (12) months, a participant is eligible for a tenant-based voucher to move to a unit of their choice on the open rental market, if HCVs are available. The PBV remains with the original unit.

Almost any type of newly constructed or existing structure may be used for PBV. Up to 25 percent of the units in a project (with 4 or more total units) can be assisted under the PBV program, except for projects serving elderly or disabled households or households receiving supportive services which can be up to 100% PBV-assisted. Owners must be willing to enter into a ***Housing Assistance Payments (HAP) Contract*** with the MHA for not less than one year and no more than twenty years.

Financing for construction or rehabilitation of units must be obtained independently by the owner.

Statement of Need

The Respondent shall provide housing choices through the provision of new or rehabilitated apartments. MHA intends to meet the requirements of the Code of Federal Regulations 24 C.F.R., Part 983 (Project-Based Voucher Program), as may be amended, Notice PIH- 2017-21

(HA) dated October 30, 2017, and all other applicable law. Owners/Developers of projects selected under this program may be awarded a Housing Assistance Payment (HAP) Agreement with MHA for up to twenty (20) years, subject to availability of funding. Vouchers will only be committed to Owners/Developers of properties that provide quality rental units to low-income families. Family eligibility and unit size will be determined by MHA, but priority will be given to 1, 2, 3 and 4 bedroom units, with 1-bedroom units preferred. Priority will also be given to projects located in census tracts that have the lowest concentration of poverty according to the U.S. Census Bureau. Consideration will be given to Owners/Developers who will develop or substantially rehabilitate units. Families and individuals eligible for the PBV program will be placed on a waiting list and will be referred to the Owners/ Developers selected pursuant to this RFP. Owners/Developers may screen resident applicants, subject to all Federal Fair Housing Laws, to determine their suitability to reside at their property.

PBV Program Requirements

PBV Program Rules and Regulations. The HUD program rules and regulations governing the Section 8 Project-Based Voucher program are contained in Title 24 Code of Federal Regulations Part 983, available online at: [HUD PBV Program](#). Proposers are encouraged to review MHA's Housing Choice Voucher Administrative Plan for additional information on PBV policy and program requirements. PBV program policies can be found in Chapter 17 of the Plan located on MHA's website www.mhatoday.org.

Eligibility and Occupancy. Families occupying PBV-assisted units must be eligible to participate in the federal Section 8 HCV Program and have incomes at or below 50% of area median income. Residents occupying PBV units will pay 30% of their adjusted income towards rent and utilities. MHA will pay the remainder directly to the owner.

New residents or vacancies in PBV-assisted units must be filled from MHA waiting list or be referred by the property owner or management agent. Owners must screen applicant families as they would any other non-assisted tenant. MHA does not perform any tenant screening for owners.

HAP Contracts and HQS Inspection. The owner of an eligible unit will be required to enter into a HUD-prescribed Housing Assistance Payments (HAP) contract with MHA. The term of the HAP contract will be between (1) year and twenty (20) years. Prior to entering into a HAP contract for a proposed PBV unit, the unit will be inspected and must meet HUD's Housing Quality Standards (HQS) regulations. MHA cannot enter into a HAP contract covering a unit until the unit fully complies with HQS. [24 C.F.R. § 983.103 (inspecting units)] A copy of the standard Section 8 project-based HAP contract is available upon request.

Required Lease Provisions. Owners will be required to use leases that incorporate a HUD-required tenancy addendum containing HUD-required lease provisions and otherwise must comply with HUD Section 8 program regulations. [24 C.F.R. § 983.256(b) (form of lease)] A copy of the HUD-required lease addendum is available upon request.

Unit Rent Limits. Eligible units must have proposed Gross Rents that do not exceed that of comparable unassisted units in the area. Gross rent includes contract rent plus tenant-paid utilities.

The applicable maximum rent is the voucher payment standard, up to 110% of the HUD-determined Fair Market Rents. Current payment standards and Utility Allowance schedules can be found here on MHA’s website, www.mhatoday.org.

Families’ Right to Move. Families assisted under the PBV program have the right to terminate the assisted lease after the first year of occupancy and move with a tenant-based HCV, if a tenant-based HCV is available. Families moving prior to the first year will move unassisted.

Selection Criteria for Project-Based Voucher (PBV) Proposals

Ineligible Housing Types. The following types of housing are *not eligible* for PBV assistance: owner-occupied units; units currently occupied by a family ineligible for participation in the PBV program; shared housing; units on the grounds of a penal, reformatory, medical, mental, or similar public or private institution; nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care; units owned or controlled by an educational institution or its affiliate and are designated for occupancy by students of the institution; manufactured homes; cooperative housing; transitional housing; public housing dwelling units or units (or occupants) subsidized with any governmental subsidies; and units with any other duplicative federal, state, or local housing subsidy. [[24 C.F.R. §§ 983.53 and 983.54 \(prohibition of assistance for ineligible units; prohibition of assistance for units in subsidized housing\)](#)]

Montgomery Housing Authority Area. MHA administers PBVs in Montgomery, Autauga, and Elmore counties.

Application Procedures for the Project-Based Voucher (PBV) Program

Applications must be submitted in pdf format prior to the application submission deadline:

PBV proposals will be reviewed and ranked in accordance with the following selection criteria:

| Selection Criteria Description | Possible Points |
|--|------------------------|
| <ul style="list-style-type: none">• Term of Contract Requested : The length of the effective term of the HAP contract proposed. Highest scores will be awarded to submissions proposing a maximum term of 20 years. | 5 |
| <ul style="list-style-type: none">• Site Location and Project Details: The location of the proposed project, as well as the configuration of assisted and unassisted units and other details | 25 |

| | |
|--|----|
| <p>about the project. Scores will be awarded to projects based on the following:</p> <ol style="list-style-type: none"> The number of PBVs requested and the number of PBVs as a proportion of the total unit count. (Higher numbers and proportions scored most favorably, within regulatory guidelines). The extent to which vital institutions or amenities are available on-site, or in the immediate area, to residents of the project. The extent to which the proposed PBV units are suitable and appropriate for families eligible to participate in the Housing Choice Voucher program. The quality of the proposed housing design, including, for example: the size of the units and number of bedrooms (units with fewer bedrooms scored most favorably), the accessibility of the units, and the proposed features or appliances included in the units. Whether or not the project is located within a census tract with a concentration of poverty equal to or greater than 20%, subject to any mitigating factors described hereinabove for proposed projects within such a tract. For newly constructed units: <ol style="list-style-type: none"> Whether or not the project is located within an area of minority concentration, subject to any mitigating factors described hereinabove for proposed projects within such an area; and Whether or not the proposed site is seriously detrimental to family life, or where substandard dwellings or other undesirable conditions predominate. | |
| <ul style="list-style-type: none"> Owner/Developer Development Capacity: Highest scores will be awarded to proposals which best demonstrate the general experience of identified team members in planning, financing, and constructing or rehabilitating affordable or subsidized housing. Direct experience with projects supported by the Housing Choice Voucher program will be considered most favorably. Highest-scoring proposals will describe specific examples of past projects, including the location, unit count, and funding sources of such projects. | 20 |
| <ul style="list-style-type: none"> Project Feasibility/Readiness: The feasibility of the specific project proposed. Scores will be based on the following criteria: <ol style="list-style-type: none"> Evidence that the Owner/Developer has already obtained site control. The quality of the overall development plan for the project, including financial commitments. | 15 |

| | |
|--|------------|
| <ul style="list-style-type: none"> c. The extent to which the proposal complements other local activities (HOPE VI, HOME, CDBG, LIHTC, etc.). d. Demonstrated ability to meet deadlines outlined in the proposal. e. If applicable, the strength of the proposed relocation plan and its compliance with the Uniform Relocation Act located on the Federal Register at www.federalregister.gov. | |
| <ul style="list-style-type: none"> • Owner/Developer Management/Resident Services: Highest scores will be awarded to proposals which best demonstrate the general experience of identified team members in leasing and managing housing supported by the Housing Choice Voucher program. Highest-scoring proposals will describe specific examples of past projects. MHA may also consider experience with other relevant housing programs (such as LIHTC), as well as the provision of additional amenities or services provided to residents on a voluntary basis. | 15 |
| <ul style="list-style-type: none"> • Business Terms. Proposals will be scored based on Owner/Developer's proposal of other business terms which benefit MHA, including a share of any developer fee or project cash flow. Proposals that do NOT have a proposed fee share with MHA will receive zero points for this criterion. | 10 |
| DBE/Section 3 | 10 |
| Total Points | 100 |

Based on the evaluation, MHA may:

- Request further information from proposer and/or interview the proposer;
- Determine the proposal is non-responsive and/or incomplete;
- Reject the proposal;

Award Procedures for the Project-Based Voucher (PBV) Program

PBV Award Process

Applications will be reviewed and the highest scoring applications for up to 200 PBVs will proceed as follows:

- **New Construction.** New construction projects will be provided with a Letter of Intent that commits Project-Based Vouchers, contingent on a project receiving the necessary funding in 2022 to become financially feasible.

- Existing Housing. Existing housing applications will be formally awarded PBVs through formal MHA action. The action will be taken when other federal requirements are met (e.g., environmental review) but likely within 60-90 days of project selection.

**Montgomery Housing Authority
Section 8 Project-Based Voucher Rent Assistance
Application Form**

Please be complete in your responses. Proposals that are incomplete will not be considered or reviewed. Attach additional sheets if they are needed to fully answer the questions. **The deadline for submitting applications are due Thursday, April 7, 2022 at 12:00 PM (CST).**

I. APPLICANT INFORMATION

| | | |
|------------------------|---------------|-------------|
| Name: | | |
| Address: | | |
| City: | State: | Zip: |
| Phone: | Fax: | |
| Contact Person: | | |

II. CONTACT PERSON INFORMATION

| | | |
|------------------------|---------------|-------------|
| Name: | | |
| Address: | | |
| City: | State: | Zip: |
| Phone: | Fax: | |
| E-mail Address: | | |

III. PROJECT INFORMATION

| | | |
|----------------------|---------------|-------------|
| Project Name: | | |
| Address: | | |
| City: | State: | Zip: |

Please describe the project, including the population to be served, the number of buildings in the project and the total number of dwelling units in each building.

NOTE: MHA cannot select a proposal to provide PBV assistance for units in a project if the total number of PBV-assisted units in a project is more than 25 percent of the total number of dwelling units in the project. The exception is if the units are in a single-family building (one to four units) or are specifically made available for elderly or disabled families or families receiving supportive services.

IV. UNIT OWNERSHIP AND MANAGEMENT

Please provide the individual names and companies of all parties having a substantial interest in the Unit(s).

| | |
|---------------------------------------|----|
| Principal Owner/s or Partners: | 1. |
| | 2. |
| | 3. |
| | 4. |
| Management Agent/s: | 1. |
| | 2. |
| Others: | 1. |
| | 2. |

Please describe the owner experience in managing subsidized affordable housing.

PROJECT INFORMATION

Please describe the extent to which the project furthers the goal of deconcentrating poverty and expanding housing and economic opportunities.

Briefly describe how the project will promote projects located outside of Areas of Concentrated Poverty, unless the project is preserving an existing subsidy to help maintain affordability.

Briefly describe how the project will increase the supply and availability of affordable housing for very low- and extremely low-income households in the metro area and contribute to the upgrading and long-term viability of metro-area housing stock.

Describe how the project will integrate housing and tenant services for special needs tenants and promote cooperative partnerships that link support services with affordable housing.

Describe how the project will encourage economic integration in housing development.

Describe how the project will encourage the development of housing for larger families needing 3 or more bedrooms.

Describe how the project will promote linkages among housing, jobs and transportation and /or promote higher density development along transportation corridors.

Describe the community support for the Project (funding or other support).

V. UNIT DESCRIPTION DETAILS

| | | | |
|---|----------------------------------|---|-----------------------|
| Please indicate the number of Units by structure type. | | | |
| Single Family (one to four units) _____ | Duplex-Townhouse _____ | Multi-Family (Four units or more) _____ | Other _____ |

| Building Address | # of Units by BR Size | | | | | | # of Requested PBV Units |
|----------------------------|-----------------------------|---|---|---|---|--|-----------------------------|
| | | 1 | 2 | 3 | 4 | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Total #of Buildings = ____ | Total # of Units by BR Size | | | | | | Total # of PBV Units = ____ |

VI. PROPOSED RENTS AND UTILITIES

| Please indicate below the proposed <u>rent</u> and the utilities and appliances included for each Unit type. Indicate what utility or appliance is included in the rent by “✓” checking the box below. Utilities not included in the rent will be calculated using the MHA’s <u>Utility Allowance Schedule</u> , located at www.mhatoday.org (under forms and documents for Housing Choice Voucher). Circle the type of fuel or energy source used where appropriate. | | | | | | | | | |
|--|---------------|--------------------------|---------------|--------------------------|---------------|--------------------------|----------------------|----------------------|------------------------|
| | Contract Rent | Heat | Water & Sewer | Water Heater | Trash Service | Cooking Fuel | Lighting and Cooling | Tenant Provide Range | Tenant Provided Fridge |
| 1 BR | | Gas Electric Other | | Gas Electric Other | | Gas Electric Other | | | |
| 2 BR | | Gas Electric Other | | Gas Electric Other | | Gas Electric Other | | | |
| 3 BR | | Gas Electric Other | | Gas Electric Other | | Gas Electric Other | | | |
| 4 BR | | Gas Electric Other | | Gas Electric Other | | Gas Electric Other | | | |
| Other | | Gas Electric Other | | Gas Electric Other | | Gas Electric Other | | | |

In the table below please indicate the gross rent (contract rent plus utilities) for each Unit by type. Please note that the gross rent may not exceed the HUD-approved maximum Voucher Payment Standard for the area in which a Unit is located. Current Payment Standards can be found at www.mhatoday.org (under forms and documents for Housing Choice Voucher).

| Unit Type | Contract Rent + | Utility Allowance = | Gross Rent |
|-----------|-----------------|---------------------|------------|
| 1 BR | | | |
| 2 BR | | | |
| 3 BR | | | |
| 4 BR | | | |
| Other | | | |

VIII. CERTIFICATIONS

| | |
|--|--|
| <div style="border-bottom: 1px solid black; margin-bottom: 10px; min-height: 40px;"></div> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> Owner/Applicant Name (<i>printed</i>) and Title </div> <div style="width: 35%;"></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 55%; border-bottom: 1px solid black; min-height: 20px;"></div> <div style="width: 40%; border-bottom: 1px solid black; min-height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 55%;">Owner/Applicant Signature</div> <div style="width: 40%;">Date</div> </div> | |
|--|--|

Project Based Voucher Application
RFP 2021-08 Project Based Vouchers (PBV) Services

Project Summary

1. Name of organization submitting proposal:

2. Applicant
address: _____
3. Individual serving as point of
contact: _____
4. Phone number: _____
5. E-mail: _____
6. Property Address:

7. Legal owner of property:

8. The census tract where the property is located: _____
9. Indicate the Census Tract's poverty rate from the U.S. Census Bureau:

10. Indicate type of housing to be developed:
New construction _____
Conversion of non-residential building _____
Rehabilitation of existing housing _____
11. Total number of buildings in the project: _____
12. Unit breakdown by bedroom size and square footage:

| | |
|------------|------------------|
| 1 BR _____ | Square ft: _____ |
| 2 BR _____ | Square ft: _____ |
| 3 BR _____ | Square ft: _____ |
| 4 BR _____ | Square ft: _____ |

13. Number of PBV units requested for the project:_____

| CRITERIA | POINTS |
|---|------------------|
| A. Term of Contract Requested: | 5 Points |
| B. Site Location/Poverty De-concentration/# of 1 Bdrm units: | 25 Points |
| C. Owner/Developer Development Capacity: | 15 points |
| D. Owner/Developer Management/Resident Services: | 15 points |
| E. Project Feasibility/Readiness: | 15 points |
| F. DBE/Section 3: | 10 points |
| G. Business Terms | <u>15 points</u> |
| TOTAL | 100 points |

FORM OF PROPOSAL

(This Form must be fully completed and placed under Tab No. 1 of the "hard copy" tabbed proposal submittal.)

(1) Instructions. Unless otherwise specifically required, the items listed below must be completed and included in the proposal submittal. Please complete this form by marking an "X," where provided, to verify that the referenced completed form or information has been included within the "hard copy" proposal submittal submitted by the proposer. Also, complete all the statements and certifications listed following herein:

[Table No. 1]

| "X" = Item Included | Tab No. | Submittal Item (one original signature copy of each document) |
|---------------------------|------------|--|
| | 1 | Form of Proposal |
| | 2 | form HUD-5369-C |
| | 3 | Profile of Firm Form |
| | 4 | Proposed Services |
| | 5 | Managerial Capacity/Financial Viability, including resumes |
| | 6 | Client Information |
| | 7 | Equal Employment Opportunity Statement |
| | 8 | Subcontractor/Joint Venture Information |
| | 9 | Section 3 Business Compliance Certification Form |
| | 10 | Other Information |
| | | |

(2) Debarred Statement. Has this firm, or any principal(s) thereto, ever been debarred from providing any services by the Federal Government, any state government, the State of Alabama, or any local government agency within or without the State of Alabama?

Yes ☐ No ☐ If "Yes," please attach a full detailed explanation, including dates, circumstances, and current status.

(3) Disclosure Statement. Does this firm or any principals thereof have any current, past personal or professional relationship with any Commissioner or Officer of the Agency?

Signature _____

Date _____

Printed Name _____

Company _____

MONTGOMERY HOUSING AUTHORITY, AL

FORM OF PROPOSAL

(This Form must be fully completed and placed under Tab No. 1 of the "hard copy" tabbed proposal submittal.)

Yes ☐ No ☐ If "Yes," please attach a full detailed explanation, including dates, circumstances, and current status.

(5) Felony Disclosure. Has any principal(s) or any person(s) proposed to perform the work ever been convicted of a felony? Yes ☐ No ☐ If "Yes," please attach a full detailed explanation, including dates, circumstances, and current status. PLEASE NOTE: The Agency reserves the right to not make award to any proposer that has staff who has been convicted of a felony if the Agency feels that doing such is in its best interests.

(6) Non-Collusive Affidavit. The undersigned party submitting this proposal hereby certifies that such proposal is genuine and not collusive and that said proposer entity has not colluded, conspired, connived or agreed, directly or indirectly, with any proposer or person, to put in a sham proposal or to refrain from proposing, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person, to fix the proposal price of affiant or of any other proposer, to fix overhead, profit or cost element of said proposed price, or that of any other proposer or to secure any advantage against the Agency or any person interested in the proposed contract; and that all statements in said proposal are true.

(7) Proposer's Statement. The undersigned proposer hereby states that by completing and submitting this Form and all other documents within this proposal submittal, he/she is verifying that all information provided herein is, to the best of his/her knowledge, true and accurate, and that if the Agency discovers that any information entered herein to be false, such shall entitle the Agency to not consider or make award or to cancel any award with the undersigned party. Further, by completing and submitting the proposal submittal, the undersigned proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the Agency. Pursuant to all RFP Documents, this Form of Proposal, and all attachments, and pursuant to all completed Documents submitted, including these forms and all attachments, the undersigned proposes to supply the Agency with the services described herein for the fee(s) entered within the areas provided pertaining to this RFP.

Signature

Date

Printed Name

Company

MONTGOMERY HOUSING AUTHORITY, AL

Instructions to Offerors Non-Construction

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing



- 03291 -

1. Preparation of Offers

(a) Offerors are expected to examine the statement of work, the proposed contract terms and conditions, and all instructions. Failure to do so will be at the offeror's risk.

(b) Each offeror shall furnish the information required by the solicitation. The offeror shall sign the offer and print or type its name on the cover sheet and each continuation sheet on which it makes an entry. Erasures or other changes must be initialed by the person signing the offer. Offers signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the HA.

(c) Offers for services other than those specified will not be considered.

2. Submission of Offers

(a) Offers and modifications thereof shall be submitted in sealed envelopes or packages (1) addressed to the office specified in the solicitation, and (2) showing the time specified for receipt, the solicitation number, and the name and address of the offeror.

(b) Telegraphic offers will not be considered unless authorized by the solicitation; however, offers may be modified by written or telegraphic notice.

(c) Facsimile offers, modifications or withdrawals will not be considered unless authorized by the solicitation.

3. Amendments to Solicitations

(a) If this solicitation is amended, then all terms and conditions which are not modified remain unchanged.

(b) Offerors shall acknowledge receipt of any amendments to this solicitation by

- (1) signing and returning the amendment;
- (2) identifying the amendment number and date in the space provided for this purpose on the form for submitting an offer,
- (3) letter or telegram, or
- (4) facsimile, if facsimile offers are authorized in the solicitation. The HA/HUD must receive the acknowledgment by the time specified for receipt of offers.

4. Explanation to Prospective Offerors

Any prospective offeror desiring an explanation or interpretation of the solicitation, statement of work, etc., must request it in writing soon enough to allow a reply to reach all prospective offerors before the submission of their offers. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective offeror concerning a solicitation will be furnished promptly to all other prospective offerors as an amendment of the solicitation, if that information is necessary in submitting offers or if the lack of it would be prejudicial to any other prospective offerors.

5. Responsibility of Prospective Contractor

(a) The HA shall award a contract only to a responsible prospective contractor who is able to perform successfully under the terms and conditions of the proposed contract. To be determined responsible, a prospective contractor must -

- (1) Have adequate financial resources to perform the contract, or the ability to obtain them;

- (2) Have a satisfactory performance record;
- (3) Have a satisfactory record of integrity and business ethics;
- (4) Have a satisfactory record of compliance with public policy (e.g., Equal Employment Opportunity); and
- (5) Not have been suspended, debarred, or otherwise determined to be ineligible for award of contracts by the Department of Housing and Urban Development or any other agency of the U.S. Government. Current lists of ineligible contractors are available for inspection at the HA/HUD.

(b) Before an offer is considered for award, the offeror may be requested by the HA to submit a statement or other documentation regarding any of the foregoing requirements. Failure by the offeror to provide such additional information may render the offeror ineligible for award.

6. Late Submissions, Modifications, and Withdrawal of Offers

(a) Any offer received at the place designated in the solicitation after the exact time specified for receipt will not be considered unless it is received before award is made and it -

- (1) Was sent by registered or certified mail not later than the fifth calendar day before the date specified for receipt of offers (e.g., an offer submitted in response to a solicitation requiring receipt of offers by the 20th of the month must have been mailed by the 15th);
- (2) Was sent by mail, or if authorized by the solicitation, was sent by telegram or via facsimile, and it is determined by the HA/ HUD that the late receipt was due solely to mishandling by the HA/ HUD after receipt at the HA;
- (3) Was sent by U.S. Postal Service Express Mail Next Day Service - Post Office to Addressee, not later than 5:00 p.m. at the place of mailing two working days prior to the date specified for receipt of proposals. The term "working days" excludes weekends and U.S. Federal holidays; or
- (4) Is the only offer received.

(b) Any modification of an offer, except a modification resulting from the HA's request for "best and final" offer (if this solicitation is a request for proposals), is subject to the same conditions as in subparagraphs (a)(1), (2), and (3) of this provision.

(c) A modification resulting from the HA's request for "best and final" offer received after the time and date specified in the request will not be considered unless received before award and the late receipt is due solely to mishandling by the HA after receipt at the HA.

(d) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent either by registered or certified mail is the U.S. or Canadian Postal Service postmark both on the envelope or wrapper and on the original receipt from the U.S. or Canadian Postal Service. Both postmarks must show a legible date and the offer, modification, or withdrawal shall be processed as if mailed late. "Postmark" means a printed, stamped, or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable without further action as having been supplied and affixed by employees of the U.S. or Canadian Postal Service on the date of mailing. Therefore, offerors should request the postal clerk to place a hand cancellation bull's-eye postmark on both the receipt and the envelope or wrapper.

(e) The only acceptable evidence to establish the time of receipt at the HA is the time/date stamp of HA on the offer wrapper or other documentary evidence of receipt maintained by the HA.

(f) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent by Express Mail Next Day Service-Post Office to Addressee is the date entered by the post office receiving clerk on the "Express Mail Next Day Service-Post Office to Addressee" label and the postmark on both the envelope or wrapper and on the original receipt from the U.S. Postal Service. "Postmark" has the same meaning as defined in paragraph (c) of this provision, excluding postmarks of the Canadian Postal Service. Therefore, offerors should request the postal clerk to place a legible hand cancellation bull's eye postmark on both the receipt and the envelope or wrapper.

(g) Notwithstanding paragraph (a) of this provision, a late modification of an otherwise successful offer that makes its terms more favorable to the HA will be considered at any time it is received and may be accepted.

(h) If this solicitation is a request for proposals, proposals may be withdrawn by written notice, or if authorized by this solicitation, by telegram (including mailgram) or facsimile machine transmission received at any time before award. Proposals may be withdrawn in person by a offeror or its authorized representative if the identity of the person requesting withdrawal is established and the person signs a receipt for the offer before award. If this solicitation is an invitation for bids, bids may be withdrawn at any time prior to bid opening.

7. Contract Award

(a) The HA will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the HA, cost or price and other factors, specified elsewhere in this solicitation, considered.

(b) The HA may

- (1) reject any or all offers if such action is in the HA's interest,
- (2) accept other than the lowest offer,
- (3) waive informalities and minor irregularities in offers received, and (4) award more than one contract for all or part of the requirements stated.

(c) If this solicitation is a request for proposals, the HA may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the offeror's best terms from a cost or price and technical standpoint.

(d) A written award or acceptance of offer mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer shall result in a binding contract without further action by either party. If this solicitation is a request for proposals, before the offer's specified expiration time, the HA may accept an offer, whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award. Negotiations conducted after receipt of an offer do not constitute a rejection or counteroffer by the HA.

(e) Neither financial data submitted with an offer, nor representations concerning facilities or financing, will form a part of the resulting contract.

8. Service of Protest

Any protest against the award of a contract pursuant to this solicitation shall be served on the HA by obtaining written and dated acknowledgment of receipt from the HA at the address shown on the cover of this solicitation. The determination of the HA with regard to such protest or to proceed to award notwithstanding such protest shall be final unless appealed by the protestor.

9. Offer Submission

Offers shall be submitted as follows and shall be enclosed in a sealed envelope and addressed to the office specified in the solicitation. The proposal shall show **the hour and date specified in the solicitation for receipt, the solicitation number, and the name and address of the offeror, on the face of the envelope.**

It is very important that the offer be properly identified on the face of the envelope as set forth above in order to insure that the date and time of receipt is stamped on the face of the offer envelope. Receiving procedures are: date and time stamp those envelopes identified as proposals and deliver them immediately to the appropriate contracting official, and only date stamp those envelopes which do not contain identification of the contents and deliver them to the appropriate procuring activity only through the routine mail delivery procedure.

[Describe bid or proposal preparation instructions here:]

Certifications and Representations of Offerors

Non-Construction Contract

U.S. Department of Housing and Urban Development Office of Public and Indian Housing

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This form includes clauses required by OMB's common rule on bidding/offering procedures, implemented by HUD in 24 CFR 85.36, and those requirements set forth in Executive Order 11625 for small, minority, women-owned businesses, and certifications for independent price determination, and conflict of interest. The form is required for nonconstruction contracts awarded by Housing Agencies (HAs). The form is used by bidders/offers to certify to the HA's Contracting Officer for contract compliance. If the form were not used, HAs would be unable to enforce their contracts. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

1. Contingent Fee Representation and Agreement

(a) The bidder/offeror represents and certifies as part of its bid/offer that, except for full-time bona fide employees working solely for the bidder/offeror, the bidder/offeror:

- (1) ☐ has, ☐ has not employed or retained any person or company to solicit or obtain this contract; and
- (2) ☐ has, ☐ has not paid or agreed to pay to any person or company employed or retained to solicit or obtain this contract any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this contract.

(b) If the answer to either (a)(1) or (a) (2) above is affirmative, the bidder/offeror shall make an immediate and full written disclosure to the PHA Contracting Officer.

(c) Any misrepresentation by the bidder/offeror shall give the PHA the right to (1) terminate the resultant contract; (2) at its discretion, to deduct from contract payments the amount of any commission, percentage, brokerage, or other contingent fee; or (3) take other remedy pursuant to the contract.

2. Small, Minority, Women-Owned Business Concern Representation

The bidder/offeror represents and certifies as part of its bid/offer that it:

- (a) ☐ is, ☐ is not a small business concern. "Small business concern," as used in this provision, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding, and qualified as a small business under the criteria and size standards in 13 CFR 121.
- (b) ☐ is, ☐ is not a women-owned small business concern. "Women-owned," as used in this provision, means a small business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.
- (c) ☐ is, ☐ is not a minority enterprise which, pursuant to Executive Order 11625, is defined as a business which is at least 51 percent owned by one or more minority group members or, in the case of a publicly owned business, at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily operations are controlled by one or more such individuals.

For the purpose of this definition, minority group members are:

(Check the block applicable to you)

- | | |
|---|---|
| <input type="checkbox"/> Black Americans | <input type="checkbox"/> Asian Pacific Americans |
| <input type="checkbox"/> Hispanic Americans | <input type="checkbox"/> Asian Indian Americans |
| <input type="checkbox"/> Native Americans | <input type="checkbox"/> Hasidic Jewish Americans |

3. Certificate of Independent Price Determination

(a) The bidder/offeror certifies that—

- (1) The prices in this bid/offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other bidder/offeror or competitor relating to (i) those prices, (ii) the intention to submit a bid/offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this bid/offer have not been and will not be knowingly disclosed by the bidder/offeror, directly or indirectly, to any other bidder/offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the bidder/offeror to induce any other concern to submit or not to submit a bid/offer for the purpose of restricting competition.

(b) Each signature on the bid/offer is considered to be a certification by the signatory that the signatory:

- (1) Is the person in the bidder/offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
- (2) (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above (insert full name of person(s) in the bidder/offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the bidder/offeror's organization);
(ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) above have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and

(iii) As an agent, has not personally participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above.

- (c) If the bidder/offeror deletes or modifies subparagraph (a)2 above, the bidder/offeror must furnish with its bid/offer a signed statement setting forth in detail the circumstances of the disclosure.

4. Organizational Conflicts of Interest Certification

- (a) The Contractor warrants that to the best of its knowledge and belief and except as otherwise disclosed, it does not have any organizational conflict of interest which is defined as a situation in which the nature of work under a proposed contract and a prospective contractor's organizational, financial, contractual or other interest are such that:
- (i) Award of the contract may result in an unfair competitive advantage;
 - (ii) The Contractor's objectivity in performing the contract work may be impaired; or
 - (iii) That the Contractor has disclosed all relevant information and requested the HA to make a determination with respect to this Contract.
- (b) The Contractor agrees that if after award he or she discovers an organizational conflict of interest with respect to this contract, he or she shall make an immediate and full disclosure in writing to the HA which shall include a description of the action which the Contractor has taken or intends to eliminate or neutralize the conflict. The HA may, however, terminate the Contract for the convenience of HA if it would be in the best interest of HA.
- (c) In the event the Contractor was aware of an organizational conflict of interest before the award of this Contract and intentionally did not disclose the conflict to the HA, the HA may terminate the Contract for default.
- (d) The Contractor shall require a disclosure or representation from subcontractors and consultants who may be in a position to influence the advice or assistance rendered to the HA and shall include any necessary provisions to eliminate or neutralize conflicts of interest in consultant agreements or subcontracts involving performance or work under this Contract.

5. Authorized Negotiators (RFPs only)

The offeror represents that the following persons are authorized to negotiate on its behalf with the PHA in connection with this request for proposals: (list names, titles, and telephone numbers of the authorized negotiators):

6. Conflict of Interest

In the absence of any actual or apparent conflict, the offeror, by submission of a proposal, hereby warrants that to the best of its knowledge and belief, no actual or apparent conflict of interest exists with regard to my possible performance of this procurement, as described in the clause in this solicitation titled "Organizational Conflict of Interest."

7. Offeror's Signature

The offeror hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

Signature & Date:

Typed or Printed Name:

Title:

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

| | | | | | |
|--|--|---|--|--|--|
| 1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance | | 2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award | | 3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____ | |
| 4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: | | | 5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known: | | |
| 6. Federal Department/Agency: | | | 7. Federal Program Name/Description: CFDA Number, if applicable: _____ | | |
| 8. Federal Action Number, if known: | | | 9. Award Amount, if known: \$ _____ | | |
| 10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): | | | b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): | | |
| 11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. | | | Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____ | | |
| Federal Use Only: | | | | Authorized for Local Reproduction Standard Form LLL (Rev. 7-97) | |

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Certification of Payments to Influence Federal Transactions

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

Applicant Name

Program/Activity Receiving Federal Grant Funding

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

| | | |
|-----------------------------|-------------------|--|
| Name of Authorized Official | Title | |
| Signature | Date (mm/dd/yyyy) | |

Certification for
a Drug-Free Workplace

U.S. Department of Housing
and Urban Development

Applicant Name

Program/Activity Receiving Federal Grant Funding

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federalagency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here [] if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Form with fields for Name of Authorized Official, Title, Signature, and Date.

WUFGrcetwogpvhJqwlpi cfp Wdcp Fgxngro gpv
Office of Housing/Federal Housing Commissioner

WUFGrcetwogpvhCitlwnwtg
Farmers Home Administration

| | | | |
|---|----------------------------|--|---|
| RctvKw dg eqo rnygf d{ Rtlpekr cmqhO wnlkro k{ Rtqlgevu (See instructions) | | Hqt J WF J S Hb J C wug qpr{ | |
| Reason for submission: 30Agency name and City where the application is filed | | 4. Project Name, Project Number, City and Zip Code | |
| 5. Loan or Contract amount \$ | 6. Number of Units or Beds | 7. Section of Act | 8. Type of Project (check one) <input type="checkbox"/> Existing <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Proposed (New) |

90Nhwcmrtqrqgf Rtlpekr cmcpf cwcej qti cplk cvlqp ej ctvht cmqti cplk cvlqpu

| Name and address of Principals and Affiliates (Name: Last, First, Middle Initial) proposing to participate | : Tqg qhGcej Rtlpekr cnlp Rtqlgev | ; 0Gzrgevdf ' Qy pgtuj lr lp Rtqlgev | 320UUP qt KtUGo rmlf gt Pwo dgt |
|--|-----------------------------------|--------------------------------------|---------------------------------|
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Certifications: The principal(s) listed above hereby apply to HUD or USDA FmHA, as the case maybe, for approval to participate as principal(s) in the role(s) and project listed above. The principal(s) each certify that all the statements made on this form are true, complete and correct to the best of their knowledge and belief and are made in good faith, including any Exhibits attached to this form. Y ctpkpi <HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. The principal(s) further certify that to the best of their knowledge and belief:

- Schedule A contains a listing, for the last ten years, of every project assisted or insured by HUD, USDA FmHA and/or State and local government housing finance agencies in which the principal(s) have participated or are now participating.
- For the period beginning 10 years prior to the date of this certification, and except as shown on the certification:
 - No mortgage on a project listed has ever been in default, assigned to the Government or foreclosed, nor has it received mortgage relief from the mortgagee;
 - The principals have no defaults or noncompliance under any Conventional Contract or Turnkey Contract of Sale in connection with a public housing project;
 - There are no known unresolved findings as a result of HUD audits, management reviews or other Governmental investigations concerning the principals or their projects;
 - There has not been a suspension or termination of payments under any HUD assistance contract due to the principal's fault or negligence;
 - The principals have not been convicted of a felony and are not presently the subject of a complaint or indictment charging a felony. (A felony is defined as any offense punishable by imprisonment for a term exceeding one year, but does not include any offense classified as a misdemeanor under the laws of a State and punishable by imprisonment of two years or less);
 - The principals have not been suspended, debarred or otherwise restricted by any Department or Agency of the Federal Government or of a State Government from doing business with such Department or Agency;
 - The principals have not defaulted on an obligation covered by a surety or performance bond and have not been the subject of a claim under an employee fidelity bond;
- All the names of the principals who propose to participate in this project are listed above.
- None of the principals is a HUD/FmHA employee or a member of a HUD/FmHA employee's immediate household as defined in Standards of Ethical Conduct for Employees of the Executive Branch in 5 C.F.R. Part 2635 (57 FR 35006) and HUD's Standard of Conduct in 24 C.F.R. Part 0 and USDA's Standard of Conduct in 7 C.F.R. Part 0 Subpart B.
- None of the principals is a participant in an assisted or insured project as of this date on which construction has stopped for a period in excess of 20 days or which has been substantially completed for more than 90 days and documents for closing, including final cost certification, have not been filed with HUD or FmHA.
- None of the principals have been found by HUD or FmHA to be in noncompliance with any applicable fair housing and civil rights requirements in 24 CFR 5.105(a). (If any principals or affiliates have been found to be in noncompliance with any requirements, attach a signed statement explaining the relevant facts, circumstances, and resolution, if any).
- None of the principals is a Member of Congress or a Resident Commissioner nor otherwise prohibited or limited by law from contracting with the Government of the United States of America.
- Statements above (if any) to which the principal(s) cannot certify have been deleted by striking through the words with a pen, and the relevant principal(s) have initialed each deletion (if any) and have attached a true and accurate signed statement (if applicable) to explain the facts and circumstances.

| | | | |
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Previous Participation Certification

OMB Approval No. 2502-0118

(Exp. 02/29/2016)

Uej gf wng C< Nkuvqh Rt gxlqwu Rt qlgevu cpf Ugevlqp : Eqpvtcevu Below is a complete list of the principals' previous participation projects and participation history in multifamily Housing programs of HUD/FmHA, State and local Housing Finance Agencies. **Pqvg<** Read and follow the instruction sheet carefully. Make full disclosure. Add extra sheets if you need more space. Double check for accuracy. If no previous projects, write by your name, **"Pq rt gxlqwu rct vlek cvlqp. Hlt uv Gzrgt lpegeö."**

| 1. Principals Name (Last, First) | 2. List of previous projects (Project name, project ID and, Govt. agency involved) | 3.List Principals' Role(s) (indicate dates participated, and if fee or identity of interest participant) | 4. Status of loan (current, defaulted, assigned, foreclosed) | 5. Was the Project ever in default during your participation [guPq H{gu gznrlp | | 6. Last MOR rating and Physical Insp. Score and date |
|----------------------------------|---|--|--|--|--|--|
| | | | | | | |

Rct v Ht J WF Kpvt pcnRt qegulpi Qprf

Received and checked by me for accuracy and completeness; recommend approval or refer to Headquarters after checking appropriate box.

| | | | |
|-------------------|--|---|--|
| Date (mm/dd/yyyy) | Tel No. and area code | <input type="checkbox"/> A. No adverse information; form HUD-2530 approval recommended. <input type="checkbox"/> B. Name match in system | <input type="checkbox"/> C. Disclosure or Certification problem <input type="checkbox"/> D. Other (attach memorandum) |
| Staff | Processing and Control | | |
| Supervisor | Director of Housing/Director, Multifamily Division | <input type="checkbox"/> Yes <input type="checkbox"/> No | Date (mm/dd/yyyy) |

Page 1 of 2

| | | | |
|--|---|--|--|
| <p>Equino p 60Indicate the current status of the loan. Except for current loan, the date associated with the status is required. Loans under a workout arrangement are considered assigned. For all noncurrent loans, an explanation of the status is required.</p> <p>Equino p 70 Explain any project defaults during your participation.</p> <p>Equino p 80Provide the latest Management Review (MOR) rating and Physical Inspection score.</p> <p>Egtvllcevp<After you have completed all other parts of</p> | <p>form HUD-2530, including schedule A, read the Certification carefully. In the box below the statement of the certification, fill in the names of all principals and affiliates as listed in block 7. Each principal should sign the certification with the exception in some cases of individuals associated with a corporation (see "Exception for Corporations" in the section of the instructions titled "Who Must Sign and File Form HUD-2530). Principal who is signing on behalf of the entity should attach signature authority document. Each principal who signs the form</p> | <p>should fill in the date of the signature and a telephone number. By providing a telephone number, HUD can reach you in the event of any questions.</p> <p>If you cannot certify and sign the certification as it is printed because some statements do not correctly describe your record, use a pen to strike through those parts that differ with your record, and then sign and certify.</p> <p>Attach a signed statement of explanation of the items you have struck out on the certification. Item 2e. relates to felony</p> | <p>convictions within the past 10 years. If you are convicted of a felony within the past 10 years, strike out 2e. and attach statement of explanation. A felony conviction will not necessarily cause your participation to be disapproved unless there is a criminal record or other evidence that your previous conduct or method of doing business has been such that your participation in the project would make it an unacceptable risk from the underwriting stand point of an insurer, lender or governmental agency.</p> |
|--|---|--|--|

The Department of Housing and Urban Development (HUD) is authorized to collect this information by law (42 U.S.C. 3535(d) and 24 C.F.R. 200.217) and by regulation at 24 CFR 200.210. This information is needed so that principals applying to participate in multifamily programs can become HUD-approved participants. The information you provide will enable HUD to evaluate your record with respect to established standards of performance, responsibility and eligibility. Without prior approval, a principal may not participate in a proposed or existing multifamily project. HUD uses this information to evaluate whether or not principals pose an unsatisfactory underwriting risk. The information is used to evaluate the potential principals and approve only individuals and organizations that will honor their legal, financial and contractual obligations.

Rtlxce{ CevUcvgp gpv< The Housing and Community Development Act of 1987, 42 U.S.C. 3543 requires persons applying for a Federally-insured or guaranteed loan to furnish his/her Social Security Number (SSN). HUD must have your SSN for identification of your records. HUD may use your SSN for automated processing of your records and to make requests for information about you and your previous records with other public agencies and private sector sources. HUD may disclose certain information to Federal, State and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as required and permitted by law. You must provide all of the information requested in this application, including your SSN.

Rwdnle tgrqtvpj dwtfgp for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

A response is mandatory. Failure to provide any of the information will result in your disapproval of participation in this HUD program.

PROFILE OF FIRM



**525 South Lawrence Street
Montgomery, Alabama 36104**

(This Form must be fully completed and placed in the submittal.)

PRIME _____ **SUB-CONTRACTOR** _____

(Proposer must also identify his sub-contractors (if any) by providing Profile of Firm form for each)

(1) Name of

Vendor: _____

(2) Address, City, State, Zip: _____

(3) Telephone: _____ Fax: _____

Email: _____

(4) Proposer Diversity Statement: You must check all of the following that apply to the ownership of this vendor and enter where provided the correct percentage (%) of ownership of each:

| | | | |
|--|--|--|--|
| <input type="checkbox"/> Caucasian American (Male) _____ % | <input type="checkbox"/> Public-Held Corporation _____ % | <input type="checkbox"/> Government Agency _____ % | <input type="checkbox"/> Non-Profit Organization _____ % |
|--|--|--|--|

Resident – (RBE), Minority- (MBE), or Woman-Owned (WBE) Business Enterprise (Qualifies by virtue of 51% or more ownership and active management by one of more of the following:

| | | | | | |
|--|---|--|--|---|--|
| <input type="checkbox"/> Resident- Owned _____ % | <input type="checkbox"/> African American _____ % | <input type="checkbox"/> Native American _____ % | <input type="checkbox"/> Hispanic American _____ % | <input type="checkbox"/> Asian/Pacific American _____ % | <input type="checkbox"/> Asian/Indian American _____ % |
|--|---|--|--|---|--|

| | | | |
|--|--|---|--|
| <input type="checkbox"/> Woman-Owned (MBE) _____ % | <input type="checkbox"/> Woman-Owned (Caucasian) _____ % | <input type="checkbox"/> Disabled Veteran _____ % | <input type="checkbox"/> Other (Specify) _____ % |
|--|--|---|--|

WMBE Certification Number: _____

Certified by: _____

(NOTE: A CERTIFICATION / NUMBER NOT REQUIRED TO PROPOSE – ENTER IF AVAILABLE)

(5) Federal Tax ID No. _____

DUNS No. _____

(6) Business License No. _____ State _____

(7) General Liability Insurance Carrier: _____

Policy No. _____ Expiration Date _____

(8) Worker's Compensation Insurance Carrier: _____

MONTGOMERY HOUSING AUTHORITY, ALABAMA

PROFILE OF FIRM

Policy No. _____ Expiration Date _____

- (9) Professional Liability Insurance Carrier: _____

Policy No. _____ Expiration Date _____

- (10) Debarred Statement: Has this firm or any principal(s) ever been debarred from provided any services by the Federal Government, any state government, the State of Alabama, or any local government agency within or without the State of Alabama? ☐ Yes ☐ No

If "Yes" please attach a full detailed explanation, including dates, circumstances and current status.

- (11) Disclosure Statement: Does this firm or any principals thereof have any current past personal or professional relationship with any Commissioner or Officer of MHA? ☐ Yes ☐ No

If "Yes" please attach a full detailed explanation, including dates, circumstances and current status.

- (12) **Non-Collusive Affidavit:** The undersigned party submitting this proposal or bid hereby certifies that such proposal or bid is genuine and not collusive and that said proposer entity has not colluded, conspired, connived or agreed, directly or indirectly, with any proposer or person to put in a sham proposal or bid or to refrain from proposing or bidding, and has not in any manner, directly or indirectly sought by agreement or collusion or communication or conference with any person, to fix the proposal or bid price of affiant or of any other proposer or bidder, to fix overhead, profit or cost elements of said proposal or bid price, or that any other proposer or bidder or to secure any advantage against the Housing Authority or any person interested in the proposed contract; and that all statements in said proposal or bids are true.

- (13) **Verification Statement:** The undersigned proposer hereby states that by completing and submitting this form he/she is verifying that all information provided herein is, to the best of his/her knowledge, true and accurate, and agrees that if MHA discovers that any information entered herein if false, that shall entitle MHA to not consider nor make or to cancel any award with the undersigned party.

- (14) **Code of Alabama §11-93-2. Maximum amount of damages recoverable against governmental entities; settlement or compromise of claims not to exceed maximum amounts.**

The recovery of damages under any judgment against a governmental entity shall be limited to \$100,000.00 for bodily injury or death for one person in any single occurrence. Recovery of damages under any judgment or judgments against a governmental entity shall be limited to \$300,000.00 in the aggregate where more than two persons have claims or judgments on account of bodily injury or death arising out of any single occurrence. Recovery of damages under any judgment against a governmental entity shall be limited to \$100,000.00 for damage or loss of property arising out of any single occurrence. No governmental entity shall settle or compromise any claim for bodily injury, death or property damage in excess of the amounts herein above set forth. (Acts 1977, No. 673, p. 1161, §2.)

Signature

Date

Printed Name

Title

PROFILE OF FIRM

Client Reference Form

The past performance of the respondent on prior work of the same or similar nature, in the past (3) years, based on the letters of reference and/or client lists submitted, and based upon the results of any consultation that the MHA chooses to conduct with such. The past performance shall also include quality of work, and compliance with performance schedules.

Respondent shall submit a listing of former or current clients, including any other Public Housing Authority for whom the respondent has performed similar or like services to those being proposed in the QSP. The listing shall at a minimum include:

- Client's name
- Client's contact name
- Client's telephone number
- A brief description and scope of the service(s) and the dates the services were provided

Client Information

| | |
|-----------------------------|-----------------------|
| Organization Name (Client): | Organization Address: |
| Contact Name: | Title: |
| Phone Number: | Email address: |

| Brief Description of Services | Dates Provided |
|-------------------------------|----------------|
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| | |

Client Information

| | |
|-----------------------------|-----------------------|
| Organization Name (Client): | Organization Address: |
| Contact Name: | Title: |
| Phone Number: | Email address: |

| Brief Description of Services | Dates Provided |
|-------------------------------|----------------|
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| | |

| SECTION 3 AND MBE PRE-AWARD COMPLIANCE CERTIFICATION | | Housing Authority of the City of Montgomery 525 South Lawrence Street Montgomery, AL 36104 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|--|--|---------------------|--|--|---------------------|---|--|--------------|--|--|-----------|--|--|-----------------|--|--|------------------------------|--|--|--|--|--|--|--|--|--|--|--|--------------|--|--|--|--|--|-------|--|--|
| 1. Contractor Name & Address (street, city, state, zip): | 2. Contract Number and Description: | 3. Dollar Amount of Contract: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 4. Contact Person: | 5. Phone Number: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 6. Contracting Period: | 7. Date Report Submitted: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Part I: Employment and Training of Section 3 Residents (If Prime Contractor is Section 3 Owned Check Here) <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The employment and training component of section 3 applies to the prime contractor and all sub-contractors providing construction services and professional services to the Montgomery Housing Authority. It is the responsibility of the Prime Contractor to enforce these same requirements within any sub-contracts. Instructions: Complete items A, B and C and adjoining worksheet A. Total Number of Current Employees? _____ B. Total Number of Anticipated New Hires & Trainees? _____ C. Total Number of Section 3 New Hires & Trainees? _____ (the established goal is 30% of Line B) | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="3" style="text-align: center; padding: 5px;">Adjoining worksheet</th> </tr> <tr> <th style="width: 33%; text-align: center; padding: 5px;">(A) Job Category</th> <th style="width: 33%; text-align: center; padding: 5px;">(B) Number of anticipated new hires and trainees</th> <th style="width: 33%; text-align: center; padding: 5px;">(C) Number of column (B) that will be Section 3 residents</th> </tr> <tr><td style="padding: 5px;">Professional</td><td></td><td></td></tr> <tr><td style="padding: 5px;">Technical</td><td></td><td></td></tr> <tr><td style="padding: 5px;">Office/Clerical</td><td></td><td></td></tr> <tr><td style="padding: 5px;">Construction by Trade (list)</td><td></td><td></td></tr> <tr><td style="padding: 5px;"> </td><td></td><td></td></tr> <tr><td style="padding: 5px;"> </td><td></td><td></td></tr> <tr><td style="padding: 5px;"> </td><td></td><td></td></tr> <tr><td style="padding: 5px;">Other (List)</td><td></td><td></td></tr> <tr><td style="padding: 5px;"> </td><td></td><td></td></tr> <tr><td style="padding: 5px;">Total</td><td></td><td></td></tr> </table> | | Adjoining worksheet | | | (A) Job Category | (B) Number of anticipated new hires and trainees | (C) Number of column (B) that will be Section 3 residents | Professional | | | Technical | | | Office/Clerical | | | Construction by Trade (list) | | | | | | | | | | | | Other (List) | | | | | | Total | | |
| Adjoining worksheet | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (A) Job Category | (B) Number of anticipated new hires and trainees | (C) Number of column (B) that will be Section 3 residents | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Professional | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Technical | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Office/Clerical | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Construction by Trade (list) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Other (List) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Part II: Subcontract awards – Section 3 and MBE (If Prime Contractor is Section 3 Owned Check Here) <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The contracting component of section 3 and minority-owned business participation apply to all prime contractors and sub-contractors providing construction services, professional services, and supplies to the Montgomery Housing Authority's project. It is the responsibility of the prime contractor to enforce the same requirements within any sub-contracts. Instructions: All contractors must complete item D. Complete item E for construction contracts only. Complete item F for professional service and supplier contracts only. All contractors must complete item G. D. Total dollar amount of all sub-contracts anticipated for this project? \$ _____ Applies to construction contracts only: E. Total amount of anticipated Section 3 sub-contract awards? \$ _____ (The established goal is 10% of Line D) Applies to professional service contracts and suppliers: F. Total amount of anticipated section 3 sub-contract awards? \$ _____ (The established goal is 3% of Line D) Applies to all contracts: G. Total amount of anticipated minority-owned business contract awards? \$ _____ (The established goal is 20% of Line D) A minority-owned business is an entity that is 51% owned or controlled by one or more of the following minority group members: Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, Asian Indian Americans and Hasidic Jewish Americans. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Part III: Certification | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| As a duly authorized representative of the prime contractor, it is hereby agreed that the prime contractor and all sub-contractors will make every effort to achieve at least the minimum levels for compliance with Section 3 and Minority- Owned Business participation goals. It is further understood that the undersigned will enforce and ensure compliance within all sub-contracts. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature: | Print Name and Title | Date | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the
_____ of the corporation
named as the Principal in the within bond; that _____,
who signed the said bond on behalf of the Principal was then _____
of said corporation; that I know his signature, and his signature thereto is genuine, and that said
bond was duly signed, sealed, and attested to for and in behalf of said corporation by authority of
its governing body.

(Affix Corporate Seal)

NON-COLLUSIVE AFFIDAVIT
(Prime Bidder/Respondent)

State of _____

County of _____

_____, Being first duly sworn, deposes and says that he/she is _____, (a partner or officer of the firm of, etc.) the party making the forgoing proposal or bid, that such proposal or bid is genuine and not collusive or sham; that said respondent/bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any respondent/bidder or person, to put in a sham bid/cost or to refrain from bidding or submitting cost proposal, and has not in any manner, directly or indirectly, sought by agreement to collusion, or communication or conference, with any person, to fix the bid/cost price of affiant or of any other respondent/bidder, or to fix overhead, profit or cost element of said bid/cost price, or of that of any other respondent/bidder, or to secure any advantage against the City of Montgomery Housing Authority of any person interested in the proposed contract:

And that all statements in said proposal or bid are true.

(Respondent/Bidder, if the
respondent/bidder is an individual;
Partner, if the respondent/bidder is a
partnership; Officer, if the
respondent/bidder is a corporation)

Subscribed and sworn to before me this

_____ Day of _____, 20_____

My commission expires _____, 20_____