

# Grand Forks Housing Authority 2021 Project Based Voucher Program Request for Proposals (RFP)

Issued March 1, 2021

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Project Based Voucher Program  
**REQUEST FOR PROPOSALS (RFP)**  
**INSTRUCTIONS**

## I. GENERAL INFORMATION

### A. Introduction

Grand Forks Housing Authority (GFHA) is a Public Housing Agency established in 1967. The agency's main office is located at 1405 1st Ave N, Grand Forks, ND 58203. GFHA's mission is to assist low income families with safe, decent, and affordable housing opportunities as they strive to achieve self-sufficiency and improve the quality of their lives. We are committed to operating in an efficient, ethical, and professional manner. We will create and maintain partnerships with our clients and appropriate community agencies in order to accomplish this mission.

For more information on GFHA and its rental assistance programs, please visit the Housing Authority website at [www.thegfha.org](http://www.thegfha.org).

### B. Objective

GFHA invites property owners/developers to submit a written proposal demonstrating their project eligibility, qualifications, and interest in securing Project-Based Vouchers (PBV) that will serve the population in GFHA's jurisdiction of Grand Forks County. PBV assistance provides rental subsidies paid on behalf of eligible families who live in units that are contracted under the program. The solicitation for vouchers under this Request for Proposals (RFP) is strictly for applicants that will be submitting an application in 2021 for either new construction, existing, and/or rehabilitated housing. Projects may request up to a twenty (20) year Housing Assistance Payments (HAP) PBV Contract with GFHA. Up to forty (40) Project-Based Vouchers will be available in Grand Forks County through this RFP process.

RFP's can be attached to projects that serve citizens with special needs and/or elderly persons. For purposes of this RFP, "Special Needs" will refer to individuals that require supportive services. GFHA does not provide any supportive services in connection with the PBVs. All supportive services are the sole responsibility of the project owner. For the purpose of this RFP, "elderly persons" refers to individuals sixty-two (62) years of age and older.

The PBV Program regulations are set forth in the Code of Federal Regulations, Title 24, Part 983. A copy of these regulations is available via the following website at [www.ecfr.gov](http://www.ecfr.gov).

### C. Questions from Prospective Offerors

Any prospective Offeror desiring an explanation or interpretation of the RFP, statement of work, etc., must request it in writing. Oral explanations or instructions will not be binding. Any information given to a perspective Offeror concerning the RFP will be posted on the GFHA website as an addendum to the RFP.

All questions regarding this RFP should be directed in writing to Terry Hanson no later than 3:00 p.m. on March 26, 2021. Inquiries may be delivered by fax at 701-746-2548, or via email to [thanson@thegfha.org](mailto:thanson@thegfha.org) . All addendums will be placed on GFHA’s website at [www.thegfha.org](http://www.thegfha.org) by close of business day on March 26, 2021.

**D. GFHA’s Reservation of Rights - Right to reject, waive, or terminate the RFP**

GFHA reserves the right to reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, in its sole and absolute discretion, if deemed by GFHA to be in its best interests.

1. Right to Not Award. GFHA reserves the right not to award a contract pursuant to this RFP.
2. Right to Terminate. GFHA reserves the right to terminate a contract awarded pursuant to this RFP, at any time for its convenience upon five (5) days written notice to the successful Offeror(s).
3. Right to Determine Time and Location. GFHA reserves the right to determine the days, hours and locations that the successful Offeror(s) shall provide the services called for in this RFP.
4. Right to Determine Financial Responsibility and Viability. GFHA reserves the right to require of Offeror information regarding financial responsibility and viability or such other information as GFHA determines is necessary to ascertain whether a proposal is in fact the lowest responsive and responsible proposal submitted.
5. Right to Retain Written Proposals. GFHA reserves the right to retain all written proposals submitted to GFHA by all Offerors in response to this RFP, and not permit withdrawal of same for a period of 60 calendar days subsequent to the deadline for receiving said proposals. GFHA may permit the withdrawal of proposals when requested in writing by the Offeror and such request is approved in writing by the GFHA Executive Director in his/her sole and absolute discretion.
6. Right to Reject Any Proposal. GFHA reserves the right to reject and not consider any proposal that does not meet the requirements of this RFP, including but not limited to incomplete proposals and/or proposals offering alternate or non-requested services.
7. No Obligation to Compensate. GFHA shall have no obligation to compensate any Offeror for any costs incurred in responding to this RFP.
8. Right to Prohibit. GFHA shall reserve the right to at any time during the RFP or contract process to prohibit any further participation by an Offeror or reject any proposal submitted that does not conform to any of the requirements detailed herein.

In no event will GFHA permit modification to a Proposal after the submission deadline.

## II. PROJECT BASED VOUCHER PROGRAM OVERVIEW

### A. Purpose

The purpose of the PBV Program is to encourage property owners/developers to attach PBV assistance to rental properties in order to preserve and increase the number of housing units. The rental assistance is attached to the structure. GFHA will enter into a HAP contract with the owner for the units of new construction, existing, and/or rehabilitated housing (as defined by HUD). During the term of the contract, GFHA will make HAP payments to the owner for the units leased and occupied by eligible families.

For the purpose of this PBV program, GFHA defines PBV housing developments as follows:

1. **Newly constructed housing** – housing that does not exist at the time of proposal selection
2. **Existing housing** - housing units that currently exist and substantially comply with HUD's Housing Quality Standards (HQS)
3. **Rehabilitated housing** -housing units that currently exist but require at least \$5,000 in rehabilitation per unit

### B. New Construction

GFHA estimates that PBVs may be available as per allocation in Section I.B. Objectives for the purpose of creating and/or expanding permanent, affordable housing to underserved populations. Proposed sites for new construction will be visited to ensure that construction activities have not been initiated prior to the awarding of any PBV and the signing of the Agreement to enter into a Housing Assistance Payments contract (AHAP). New construction sites must meet the local city and county requirements for quality, architecture, or design of housing, over and above the HQS.

### C. Existing and Rehabilitated Housing

GFHA estimates PBVs may be available as per allocation in Section I.B. Objectives for the purpose of acquiring and/or rehabilitating rental units that are safe, decent, and sanitary for low-income families, including elderly, near-elderly, disabled, and special needs individuals. Priority consideration will be given to projects that (a) include substantial rehabilitation, (b) bring additional affordable housing rental stock to the market via acquisition-rehabilitation, and/or (c) preserve rental units as affordable for at least twenty (20) years.

Each unit rehabilitated (whether under existing or rehabilitated category) requires a minimum expenditure of \$5,000, including the unit's prorated share of work to be accomplished on common areas or systems. All financing of project costs and operating expenses will be the responsibility of the owner.

#### D. Site Selection Standards

GFHA may select a proposal for new construction, existing and/or newly rehabilitated housing on a site and enter into a HAP contract for those units meeting the following general criteria:

1. Project based assistance for housing at the selected site is consistent with the goal of deconcentrating poverty and expanding housing or economic opportunities based upon the following considerations (Specific factors are discussed at 24 CFR 983.57):
  - a. Is the proposed PBV development in a HUD designated Enterprise Zone, Economic Community or Renewal Community?
  - b. Is the proposed development located in a census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition?
  - c. Is the census tract in which the proposed PBV development is located undergoing significant revitalization?
  - d. Federal, state or local dollars have been invested in the area to achieve the de-concentration of poverty and expansion of housing or economic opportunity?
  - e. Are new market rate units being developed in the same census tract as the proposed PBV development will be located and the likelihood that such market rate units will positively impact the poverty rate in the area?
  - f. If the poverty rate in the area where the proposed PBV development will be located is greater than 20%, GFHA may look at the poverty trend over the previous five (5) years.
  - g. Are there meaningful opportunities for educational and economic advancement in the census tract where the proposed PBV development will be located?
2. The site is suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964 and any other subsequent Act outlining fair housing.
3. The site meets HQS as outlined by 24 CFR 982.401.
4. Must meet HUD regulations for site and neighborhood standards.
5. Be adequate in size, exposure and contour to accommodate the number and type of units proposed and adequate utilities and streets must be available to service the site.
6. Be accessible to social, recreational, educational, commercial, and health facilities and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted standard housing of similar market rents.
7. Except for new construction housing designed for elderly persons, be so located that travel time and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower-income workers is not excessive.



## E. Occupancy and Vacancy

Project-based units must be leased to families eligible for Section 8 assistance for the term of the HAP contract. Vacancies will be filled with eligible families at the top of the GFHA's waiting list.

The property owner and tenant of a project-based unit must notify GFHA immediately if a tenant will be moving from a PBV unit. GFHA will release eligible applicants from the waiting list. Once GFHA has determined program eligibility then eligible families with a PBV will be referred to property owner for further processing. An eligible family who resides in a project-based unit for a least one (1) year may move with continued rental assistance with a Section 8 tenant-based voucher, if one is available. The project-based unit the family occupies must then be rented to a new eligible family.

## F. Ineligible Units

GFHA may provide up to 20% of its Consolidated Annual Contributions Contract (ACC) authorized units as allocated by HUD for use in the PBV program. THE PBV program requires compliance with all equal opportunity requirements under federal law and regulations including the authorities cited at 24 CFR 5.105(a). GFHA may not provide PBV assistance for housing types inclusive of, but not limited to the following:

- 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 service, board and care, or intermediate care;
- Units that are owned or controlled by an educational institution or its affiliate and designed for occupancy by the students of the institution;
- Manufactured homes;
- Cooperative housing;
- Transitional housing;
- Owner-occupied housing units;
- Hi-rise family units (without prior HUD approval); or
- Units occupied by families that are in-eligible for project-based assistance based upon local PHA admittance criteria.

Additionally, GFHA may not provide PBV assistance to the following types of assisted units in accordance with 24 CFR 983.54:

- A public housing dwelling unit;
- A unit subsidized with any other form of Section 8 assistance (i.e. tenant based or project based assistance);
- A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;

- A unit subsidized with Section 236 / Section 521 / Section 202 / Section 811 / Section 101 rental assistance payments;
- A unit subsidized with any form of tenant-based rental assistance (i.e. HOME funded programs);
- A unit with any other duplicative federal, state, or local housing subsidy.

#### G. Cap on Number of PBV Units per Assisted Building

GFHA may only select proposals and enter into HAP contract to provide PBV assistance for up to 25% of the total units in each building or twenty-five (25) units, whichever is greater.

PBV units will not be counted against the 25% or 25 unit cap for the following types of assisted units:

- Units in a single family building (1 to 4 units); or
- Excepted units in a multi-family building that are specifically made available for qualifying families.
  - Qualifying families includes elderly or disabled families OR families with one member of the household receiving the following types of supportive services:
    - Case management;
    - Life Skills;
    - Individual and/or group counseling; or
    - Substance Abuse services.
  - At the time of lease execution, the owner, family, and GFHA must sign a statement of family responsibility that must contain all family obligations including the participation in a service program. Failure of the family, without good cause, to fulfill its service obligation will result in termination from project-based assistance and the unit will only remain an excepted unit if the unit is made available to another qualifying family.
  - GFHA may monitor said family’s supportive services involvement on a monthly basis by requiring release of information documents being signed by the tenant and supportive service provider. The supportive service provider may be required to submit monthly reports to GFHA relative to the tenant’s continued involvement in outlined services component. Failure to participate in the recommended services for two (2) or more consecutive months will result in termination from the PBV program.
  - The owner must set aside the number of excepted units made available for occupancy by qualifying families.

#### H. Rent Limits

The gross rent (including utility allowance) may not exceed the Grand Forks Housing Authority’s Payment Standard for both initial rent and annual adjustments and must be rent reasonable in relation to rents charged in the private market for comparable unassisted units. The amount of initial rent to owner is determined prior to execution of the HAP contract in accordance with the Administrative Plan, Chapter 17, Part VIII: Determining Rent to Owner. There is an exception of initial contract rents for certain tax credit units as follows:

- A contract unit that receives a low income housing tax credit under the IRS Code of 1986; or
- The contract unit is not located within a qualified census tract; or
- In the same building, there are comparable tax credit units of the same unit bedroom size as the contract unit and the comparable tax credit units do not have any form of rental assistance other than the tax credit; or
- The tax credit rent exceeds the applicable fair market rent (FMR).

The initial contract rent for any other tax credit unit, not included in the aforementioned list, will be determined in accordance with the Administrative Plan, Chapter 17, Part VIII: Determining Rent to Owner.

The total rent to the owner for PBV assisted units consists of the tenant rent (the portion of the rent to owner paid by the family) and the rental assistance paid by GFHA in accordance with the contract with the owner. GFHA determines the tenant rent in accordance with HUD regulations. Except for certain tax credit units, the rent to owner including utility allowances must not exceed the lowest of:

- An amount determined by GFHA, not to exceed 110 percent of the applicable fair market rent (FMR) for the unit bedroom size including any applicable tenant-paid utility allowance;
- The reasonable rent; or
- The rent requested by an owner.

Current GFHA 2021 FMRs for determining rents are:

### Grand Forks County

Unit Size (Number of Bedrooms)	HUD's 2021 Fair Market Rent
0	\$623
1	\$694
2	\$883
3	\$1,264
4	\$1,529

GFHA's utility allowance schedule is available upon request.

### I. Federal Requirements

Certain Federal requirements apply to PBV assistance, including, but not limited to:

1. Fair Housing. Nondiscrimination and equal opportunity. See 24 CFR Sections 5.105(a) and Section 504 of the Rehabilitation Act.
2. Environmental Review. See 24 CFR Parts 50 and 58 and 24 CFR Part 983.58
3. Debarment. Prohibition on use of debarred, suspended, or ineligible contractors. See 24 CFR Sections 5.105(c) and 24 CFR Part 24.

4. Labor Standards. Regulations implementing the Davis-Bacon Act, Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708), 29 CFR Part 5, and other federal laws and regulations pertaining to labor standards applicable to an agreement covering nine or more assisted units.

In addition to the requirement set forth in I.1., 2., 3., and 4. above, the following applies for rehabilitated housing:

5. Uniform Relocation Act. A displaced person must be provided relocation assistance at the levels described in and in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (URA) (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24.

#### J. Environmental Review

PBV selected sites are subject to HUD environmental regulations with 24 CFR parts 50 and 58. GFHA may not enter into a PBV HAP contract with an owner until one of the following occurs:

- The Responsible Entity has completed the environmental review procedures required by 24 CFR part 58 and HUD has approved the environmental certification and request for release of funds;
- The Responsible Entity has determined that the project to be assisted is exempt under 24 CFR 58.34 or is categorically excluded and not subject to compliance with environmental laws under 24 CFR 58.35(b); or
- HUD has performed an environmental review under 24 CFR part 50 and has notified the PHA in writing of environmental approval of the site.

Upon any environmental findings, as applicable, the owner is required to carry out mitigating measures required by the Responsible Entity in order to enter into a HAP contract with GFHA.

#### K. Housing Quality Standards

Assisted units under the PBV program are subject to HQS as outlined in 24 CFR 982.401.

GFHA will conduct HQS inspections ([or HUD approved inspection process](#)) of individual units prior to selection of the site and again prior to execution of the HAP contract for each assisted unit. Additionally, for each assisted family in the units, bi-annual inspections will be conducted as well as turnover inspections (move in and move out inspections when the unit becomes vacant and then again leased up). GFHA reserves the right to inspect the unit at any time outside of the aforementioned times (i.e. quality control inspections, tenant complaint or landlord complaint inspections).

The owner must maintain and operate the contract units and premises in accordance with the HQS including performance of ordinary and extraordinary maintenance. In addition, the owner is responsible for providing all services, maintenance, equipment and utilities as specified in the executed HAP contract.

At any time in which the owner does not maintain the units and premises in accordance with HQS ([or HUD approved inspection process](#)) as outlined in the Administrative Plan, Chapter 17, Part V: Housing Assistance Payment Contract (HAP) and Chapter 8, Part II: Section 8-II.G. Enforcing Owner Compliance, GFHA will abate the HAP.

#### L. Lead Based Paint

The lead based paint requirements under 982.401 do not apply to PBV programs, however, the Lead-Based Paint Poisoning Prevention Act and the Residential Lead Based Paint Hazard Reduction Act of 1992 and implementing regulations at 24 CFR part 35, subparts A, B, H and R apply to the PBV program.

#### M. Housing Accessibility

The proposed and selected housing must comply with program accessibility requirements of section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR Part 8. GFHA shall ensure that the percentage of accessible dwelling units complies with said requirements. In addition, housing first occupied after March 13, 1991 must comply with design and construction requirements of the Fair Housing Amendments Act of 1988 and implementing regulations at 24 CFR 100.205 as applicable.

#### N. Execution of HAP Contracts

GFHA may enter into a HAP contract with the selected owner for an initial term of not less than one (1) year and not to exceed twenty (20) years for each contract unit.

Within one (1) year of expiration, GFHA may agree to extend the term of the HAP contract up to an additional twenty (20) years if GFHA determines that an extension is appropriate to continue providing affordable housing for low-income families.

The HAP contract will state that GFHA's contractual commitment is subject to the availability of sufficient appropriated funding as determined by HUD or GFHA in accordance with HUD instructions. The owner may terminate the HAP contract, upon notice to GFHA, if the amount of the rent to owner for any contract unit is reduced below the amount of the initial rent to owner at the beginning of the HAP contract term. In such cases, the assisted families residing in the contract units will be offered tenant-based voucher assistance.

At the discretion of GFHA, and subject to all PBV requirements, the HAP contract may be amended any time during the contract term for the following requests:

- To substitute a different unit (pending completion of HQS inspection) with the same number of bedrooms in the same building for a previously covered contract unit.
- To add contract units provided that the total number of units in a building that will receive PBV assistance does not exceed 25% of the number of dwelling units in the building or twenty-five (25) units, whichever is greater, or 20% of GFHA's Consolidated Annual Contributions Contract (ACC) authorized units.

- To reduce the number of contract units by the number of units that has been vacant for a period of 120 or more days.

#### O. Tenant Selection

GFHA will select families from GFHA’s Section 8 waiting list for the selected PBV program site. GFHA has no responsibility or liability to the owner or any other person for the family’s behavior or suitability for tenancy. The owner is responsible for screening and selection of the family referred by GFHA from GFHA’s waiting list to occupy the owner’s unit based on their tenancy histories. GFHA screens families for their eligibility to receive the voucher assistance, and the owner screens the family for suitability to enter into a lease agreement. Not less than 75% of the families admitted to the tenant based and project based voucher programs will be extremely low income families.

GFHA may only provide rental assistance to families determined eligible at the commencement of PBV assistance in accordance with the Administrative Plan, Chapter 3 - Eligibility. Should the tenant be “in-place” in the assisted unit, the tenant will be placed on GFHA’s waiting list for the PBV program development in order to minimize displacement of existing residents. Once a family has been determined eligible, the head of household will be invited to attend a briefing session as outlined in the Administrative Plan, Chapter 10, Part I, Section 10-1.C. Voucher Issuance and Briefing. In selecting families to occupy PBV units with special accessibility features for persons with disabilities, GFHA must first refer families who require such accessibility features to the owner.

During the course of the tenant’s lease, the owner may not terminate the lease without good cause. “Good cause” does not include a business or economic reason or desire to use the unit for an individual, family or non-residential rental purpose. Upon expiration of the lease the owner may: renew the lease; refuse to renew the lease for good cause; or refuse to renew the lease without good cause. Should the tenant be terminated by the owner for good cause, the tenant will not be eligible for a tenant-based voucher upon lease termination. Should the owner choose not to renew the lease without good cause, the tenant will be offered a tenant based voucher.

The assisted family has the right to terminate the lease any time after the initial one (1) year lease term with advance written notice of intent to vacate. In such instances that the family is in good standing with the owner, the family will be offered continued assistance through either another PBV or a tenant based voucher. If continued assistance is not immediately available, the family will receive priority in receiving the next available opportunity for continued tenant based rental assistance. Should the family terminate the assisted lease prior to the initial one (1) year term, the family relinquishes the opportunity for continued tenant based assistance.

#### P. Tenant Rent/Payment to Owner

GFHA will administer payments to owners as outlined in the Administrative Plan, Chapter 17, Part V: Housing Assistance Payments Contract (HAP) and Part IX: Payments to Owner.

### III. OFFER OF PROJECT BASED VOUCHERS

#### A. Number of PBV Units Available

GFHA is soliciting in this RFP up to forty (40) Project Based Vouchers for Grand Forks County. GFHA at its sole discretion may award more than one project. GFHA at its sole discretion can opt not to award all above listed vouchers if applications submitted do not score relatively high.

#### B. Project Eligibility

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

1. Proposed project must be located in the county of Grand Forks. Proposed project must be a planned new construction project, an existing project or a project in need of rehabilitation. Rehabilitation projects must demonstrate a minimum average per unit cost of \$5,000 to be considered for award.
2. Construction or rehabilitation for the proposed project must not have started at the time of selection for PBV (and cannot start until all post-award conditions are met and an agreement is signed).
3. Projects must be able to meet all HUD and GFHA PBV program requirements.
4. Proposals will be rejected for projects receiving other government funding for operating costs/rent subsidy for units that are requesting PBVs.
5. Proposals will be evaluated on the following factors:
  - a. Extent to which the project furthers GFHA goal of deconcentrating poverty and expanding housing and economic opportunities; and
  - b. Extent to which the proposal complements other local activities such as the redevelopment of a public housing site under the HOPE VI program, the HOME program, CDBG activities, other development activities in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community (See 24 CFR Section 983.57 Site Selection Standards).
6. Applicant must have site control. Required documents are: recorded deed or an Executed Option Agreement.
7. Applicant must provide evidence that the proposed new construction or rehabilitation is permitted by current zoning ordinances or regulations, or evidence to indicate that the needed rezoning is likely to be obtained and will not delay the project.
8. All projects will be required to complete a subsidy layering review process.
9. Owners/Developers/Project Sponsors must be in good standing with GFHA. Proposals will not be considered from entities that have unresolved contract issues with GFHA. Proposals that were previously award GFHA PBVs that failed to execute a HAP contract with GFHA may be rejected.

#### C. Requirements for Organizations Receiving PBV from GFHA and HUD

The organization must be incorporated. If the organization is a non-profit, the organization must have received a 501(c)(3) tax-exempt organization determination.

1. The organization must have policies and procedures including admission policies, rules for resident behavior, procedures for involuntary discharge and a grievance procedure.
2. The organization must be annually audited by a certified public accounting firm and the results must be provided to the GFHA. The latest audit must be part of and submission to this RFP.
3. The organization must have in place the following insurance which shall be written by companies authorized to do business in the State of North Dakota and acceptable to GFHA. Binders will be required before completion of contract:
  - a. Comprehensive general liability insurance at limits not less than one million dollars (\$1,000,000.00) combined single limits
  - b. Commercial general liability insurance including contractual liability coverage's in the amount not less than one million dollars (\$1,000,000.00) combined single limits
  - c. Employees dishonesty bond at limits not less than one million dollars (\$1,000,000.00)
  - d. Workers Compensation Insurance
4. The organization must comply with all the laws and regulations of the State of North Dakota, including but not limited to laws involving the use, maintenance and operation of structures, including building permits, zoning, code enforcement and rental certificates of compliance.
5. The organization must designate a point of contact for GFHA.
6. The organization must provide to GFHA, HUD or its agents reports, financial and other information as requested that may be needed to ensure compliance with local, state and federal laws and regulations.
7. Organizations must be able to enter into an AHAP contract and start the project for which PBV's have been requested within a twenty-four (24) month period after the announcement of award of PBV's or GFHA reserves the right to withdraw the award.

#### D. GFHA Owned Units

GFHA owned units may be assisted under the PBV program [24 CFR 983.51(e)]. If GFHA were to submit a proposal in response to this RFP, the HUD Denver field office or HUD-approved independent entity must review the selection process and determine that the GFHA-owned units were appropriately awarded based on the selection procedures specified in the GFHA Administrative Plan.

## IV. APPLICATION PROCESSING

### A. Limit on Number of Projects

Applicants are not limited on the number of projects they may submit for consideration under this RFP. However, each application must be for a single project. For each project submitted, a separate application must be submitted.



## B. Organization of Submitted Materials

All proposals submitted in response to this solicitation must conform to all of the entire requirements and specifications outlined within the RFP document and any designated attachments in their entirety. All questions within the application must be answered. Questions must be answered on a separate sheet of paper tabbed separately. If any questions are left blank the application will be considered deficient and ineligible to compete in the RFP process.

Applicants must submit one (1) original and three (3) additional copies of the entire packet, including all attachments. At least a twelve (12) point font must be used. All applications and accompanying documents must be paper copies. The information should be 8.5" x 11" format bound by a single staple in the top left-hand corner or a three-ring / spiral binder. A numbered or lettered tab shall separate each section. All proposals must be addressed to Grand Forks Housing Authority in an envelope(s) clearly marked "RFP for Project Based Voucher Program." Where possible, copies should be submitted as two-sided copies in order to conserve paper. **No electronic versions of the application will be accepted.**

All documents submitted as part of the proposal will become property of GFHA. Any material submitted that is confidential must be clearly marked as such, and may be subject to disclosure pursuant to applicable law.

## C. Submittal Deadline

All proposals MUST be received no later than 4:00 p.m. on Monday, March 29<sup>th</sup>, 2021. Proposals may be submitted by mail or hand delivered to:

Attn: Terry Hanson, Executive Director  
Grand Forks Housing Authority  
1405 1<sup>st</sup> Ave N  
Grand Forks, ND 58203

GFHA will date and time stamp all applications upon receipt. Under the competitive proposal selection process, submissions are not opened publicly.

Proposals submitted after the deadline indicated above will not be accepted. Delays in mail service or other methods of delivery will not excuse a late proposal delivery.

## D. Proposal Review

The PBV Selection Panel appointed by GFHA's Executive Director will review, evaluate, rank, and select the applications according to the scoring criteria outlined in the RFP, GFHA policy, and program regulations.

## E. PBV Award

Proposals that meet the program requirements outlined in the RFP packet will be evaluated and ranked according to the selection criteria factors described in Section VI. A. of this RFP. A Ranking List will be prepared according to points awarded to each proposal. The application(s) scoring the highest points will be conditionally awarded PBVs up to the amount requested and in accordance with the specified limits. The evaluation will be completed within ten (10) business days of the proposal deadline. Owners/developers will be notified by letter of the acceptance or rejection of their proposal.

GFHA may, at its discretion, select none of the proposals submitted. GFHA reserves the right to postpone or cancel the final award of the proposals at its convenience.

## F. Post Award Conditions

For the selected project(s), the following items must be completed before GFHA and the owner can execute an Agreement to enter into HAP or HAP contracts.

- a. Site and Neighborhood Review. Before entering into a HAP contract, GFHA will conduct an inspection of the proposed PBV site and units. Site selection standards include 1) an assessment of the physical attributes and appropriateness of the site for the proposed units; and 2) an assessment of whether the project is consistent with the goal of de-concentrating poverty and expanding housing and economic opportunities as stated in GFHA's Administrative Plan. Owners/developers may be asked to submit additional information to help facilitate this site review.
- b. Environmental Review. PBV activities are subject to HUD environmental regulations in 24 CFR Parts 50 and 58. GFHA must obtain documentation of environmental clearance from the Responsible Entity who conducted or approved the environmental review (see 24 CFR Section 983.58).
- c. Determination of initial contract rent. GFHA will determine the amount of initial rent to owner according to 24 CFR Section 983.303(c). If the project is a GFHA-affiliated property, the rent will be determined by an independent agency.
- d. Subsidy layering review. New construction, existing or units in need of rehabilitation PBV projects that utilize tax credits or other governmental housing assistance from federal, state, or local agencies are subject to a subsidy layering review (see 24 CFR Section 983.55) to prevent excessive public assistance for the project. Owners/developers will be required to submit a list of documents to GFHA which will then be submitted to HUD or HUD's designee for the review. It is the sole responsibility of the applicant to ensure that they are in compliance with any subsidy layering requirements imposed upon the project from previous funding sources.
- e. Rent Reasonableness. A rent reasonableness determination must be completed.
- f. Certification. Certification that the owner and other project principles are not on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement programs.

## G. Incomplete and Non-Responsive/Non-Compliant Applications

By signing the application, the applicant is adhering that they agree to provide any documentation requested by the GFHA upon notification of awards of PBVs to ensure compliance with HUD requirements. Applicants may be asked to submit additional information to help facilitate the proposal review.

If GFHA finds that an application is found to be non-responsive or non-compliant with the RFP, written selection criteria and procedures, or HUD program regulations, it will be rejected and returned to the applicant with notification stating the reason for rejection. GFHA reserves the right to reject applicants at any time for misinformation, errors, or omissions of any kind, no matter how far they have been processed.

## H. Withdrawal of Proposal

Applicants may withdraw their proposals before or after the RFP submittal deadline by submitting a written request to Terry Hanson at the mailing address or email listed in Section IV.C above. Proposals can be re-submitted before the RFP submittal deadline but cannot be re-submitted after the deadline.

## I. Proposal Cost

All costs incurred in the preparation and presentation of the proposal shall be completely absorbed by the applicant.

## J. Affirmative Action

GFHA promotes competitive solicitations and does not discriminate on the basis of race, color, religion, creed, national origin, sex, disability, age or sexual orientation.

## K. Proposals Open to Public

Subsequent to the award of the contract, all information submitted as part of, or in support of the proposal will be available for public inspection in compliance with state and federal laws. Only financial information, if requested as part of the RFP to confirm an Offeror's financial soundness, will be kept confidential.

## V. CONTRACT AWARD

### A. Contract Conditions

The following provisions are considered mandatory conditions of any contract award made by the GFHA pursuant to this RFP:

1. **Contract Form:** The GFHA will not execute a contract on the successful Offeror's form--contracts will only be executed on the GFHA form, or any other form substantially approved as to form and substance by GFHA and by submitting a proposal in response to this RFP, the successful Offeror agrees to do so (please note that the GFHA reserves the right to amend this form as the GFHA deems necessary).
2. **Assignment of Personnel:** The GFHA shall retain the right, in its sole and absolute discretion, to demand and receive a change in personnel assigned to the work to be performed pursuant to the contract if the GFHA believes that such change is in the best interest of the GFHA and the completion of the contracted work.
3. **Unauthorized Sub-Contracting Prohibited:** The successful Offeror shall not have the right to, assign any right, nor delegate any duty for the work proposed pursuant to this RFP (including, but not limited to, selling or transferring the contract) without the prior written consent of the GFHA Executive Director or designee, in his/her sole and absolute discretion. Any purported assignment of interest or delegation of duty, without the prior written consent of the GFHA Executive Director or designee shall be void and may result in the cancellation of the contract with the GFHA, or may result in the full or partial forfeiture of funds paid to the successful Offeror as a result of the proposed contract; either as determined by the GFHA Executive Director or designee.

## **B. Contract Period**

The GFHA anticipates that it will initially award a contract for a period of fifteen (20) years, at GFHA's sole and absolute discretion.

## **VI. SUBMISSION REQUIREMENTS AND SCORING CRITERIA**

Following the proposal receipt deadline, an evaluation will be made of all proposals. The scoring criteria will be used by GFHA to rank and select applications for the PBV Program. Each criterion is comprised of several components with an associated point value. The total points awarded to an application will be the aggregate of the component subtotals for each factor. Projects will be ranked based on their overall percentage of points received.

At any time, the GFHA may issue changes to this RFP in the form of an addendum. All addendums will be placed on the GFHA's website at [www.thegfha.org](http://www.thegfha.org) by close of business day on March 26, 2021. It is the applicant's sole responsibility to check the website for any addendums.

### **A. SCORING CRITERIA**

GFHA will review and score each application based on the factors listed below:

Site (30 points): Does the location of the property further GFHA's goals of de-concentrating poverty and expanding economic and housing opportunities. In consideration of the following criteria:

1. Poverty Rate: Ten (10) points will be awarded for a project located in a low poverty census tract (less than 10% poverty rate) with accessibility to services. Five (5) points will be awarded to a development located in a census tract with a poverty rate between 10% and 20% with accessibility to services. Zero (0) points will be awarded to a development in a census tract with the poverty rate above 20%.
2. HUD—designated zone: If the property is located in a census tract that has been designated as an Enterprise Zone, Economic Community or Renewal Community by HUD, 3 points will be awarded.
3. Public Housing Demolition: If the project based development will be located in a census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition, 3 points will be awarded.
4. Public investment: If state, local or federal dollars have been invested in the area within the last five years, 3 points will be awarded.
5. Market Rate Units: if market rate units are being developed in the same census tract where the proposed project based development is located, 3 points will be awarded.
6. Revitalization: if the census tract where the project based development is located is undergoing revitalization, 3 points will be awarded.
7. Opportunities: if meaningful opportunities for educational and economic advancement exist in the census tract where the project based development is located, 5 points will be awarded.
8. Design (10 Points): One to ten points will be awarded for designs that emphasize energy efficiency with the use of energy star products that promote livability, and that limits unit density.
9. Previous Experience (10 Points): Does the owner(s) and the principal participants have previous experience in developing multi-unit projects. Ten (10) points will be awarded for extensive experience (five or more projects). Five (5) points will be awarded for one to four projects, and zero (0) points will be awarded for no previous experience.
10. Marketing (5 Points): Is a well-defined marketing and outreach plan included with the application? One to five points will be awarded for the viability of the plan with emphasis placed on the reasonableness of rents and the location.
11. Management (10 Points): Does the owner(s) or management entity have experience in managing low-income rental units? Ten (10) points will be awarded for extensive experience (five or more projects). Five (5) points will be awarded for some experience (one to five projects). Zero (0) points will be awarded for no previous experience.
12. Project Feasibility (15 Points): Emphasis is placed on the level of commitment of financial resources, the level of control of the proposed site and the securing of zoning rights. Five (5) points will be awarded for having committed financial resources, and zero (0) points for no committed financial resources. Five (5) points will be awarded for site control, and zero (0) points for a lack of site control. Five (5) points will be awarded for securing of proper zoning rights to the site, and zero (0) points for improper zoning rights to the sight.
13. Responsiveness to Local Objectives (20 Points): Does the owner’s application meet the criteria set forth by GFHA for the specific project as detailed in the advertising? Points to be assessed based upon specific project.

**An application must score 75 points or above to be considered to receive project-based funding. Applications will be ranked in priority order based on highest scores with units awarded based on availability.**

**B. NOTICE OF OWNER SELECTION**

GFHA will give prompt written notice to the party that submitted a selected proposal and will also give prompt public notice of the selection through the publication of a public notice in a local newspaper.

# ATTACHMENTS

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GRAND FORKS  
HOUSING AUTHORITY

PROJECT BASED VOUCHER

**APPLICATION COVERSHEET**

Date of Application: \_\_\_\_\_

Total Project Based Vouchers Requested: \_\_\_\_\_

Legal Name of Organization

Address

City, State, Zip

Phone

Fax

Web site

Name of contact person regarding the application

Title

Tax ID Number

Email

Are you requesting an exception to the 25% PBV rule?

YES

NO

**Certifications**

By signing this application, the following certifications are made:

1. The owner and agents will adhere to the 24 CFR 983 regulations governing the project based vouchers.
2. The owner and its agents will comply with all applicable fair housing and civil rights requirements found in 24 CFR 5.105(1), including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and Titles II and III of the Americans with Disabilities Act, as applicable.
3. The owner and its agents will comply with effective communication requirements pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 24 CFR 8.6.

**Authorization**

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

Printed Name/Title: \_\_\_\_\_

