

HOUSING AUTHORITY of BEXAR COUNTY, TEXAS

Request for Proposals (RFP)

for

PROJECT BASED VOUCHERS

A. Introduction

The Housing Authority of Bexar County Texas (Housing Authority) operates the Bexar County Housing Choice Voucher Program, funded by the US Department of Housing and Urban Development. The purpose of the program is to provide rental assistance to very low-income families enabling them to rent decent, safe, and affordable housing. The Housing Authority administers the Housing Choice Voucher program for all of Bexar County Texas, excluding the incorporated cities of San Antonio, Texas and Schertz, Texas. The program receives roughly \$18 million dollars in funding on an annual basis through the US Department of Housing and Urban Development (HUD) and has an allocation of 2,090 Housing Choice Vouchers (HCV). The shortage of available affordable rental units in the area has resulted in participants of the Housing Choice Voucher program being unable to utilize their voucher. Because of this, the Housing Authority is issuing this Request for Proposals (RFP) seeking proposals from affordable housing developers for Project-Based Vouchers (PBV) available under the Department of Housing and Urban Development Housing Choice Voucher program. Up to 50 Project Based Vouchers are available under this RFP. Proposed units must be within the jurisdiction of the Housing Authority of Bexar County Texas. The Housing Authority intends to award Project Based Vouchers to one or more than one Respondent. Whereas existing units, substantial rehabilitation projects, and new construction projects are all eligible for consideration under the Housing Authority's Administrative Plan, this specific RFP is applicable for new construction projects only. Through this RFP, the Housing Authority will offer an allocation of Project Based Vouchers to be committed for designated rental units. Successful Respondents will be offered a contract with an initial term of up to twenty (15) years and an automatic renewal term of 15 years. This request for proposals (RFP) is established pursuant to Title 24, Chapter IX, Part 983 of the Code of Federal Regulations Project Based Voucher program Final Rule published in the Federal Register on October 13, 2003, Changes to the Section 8 Project-Based Voucher Programs Final Rule published on June 25, 2014, and the Housing Opportunities Through Modernization Act of 2016.

All proposals submitted in response to this solicitation must conform to all of the required specifications outlined within this document and any designated attachments in its entirety. Proposals must be received no later than 5:00 p.m. CST March 20, 2024, and in accordance with the submission instructions included within this Request for Proposals.

B. Project Description

The U.S. Department of Housing and Urban Development (HUD) allows Housing Authorities to attach up to 20% of its Section 8 Housing Choice Voucher program funding to specific housing units by project-basing vouchers. In contrast to the tenant-based voucher program, a housing subsidy will remain connected to the unit after a tenant moves out of the unit. The owner must agree to rent the unit to eligible tenants for the duration of the Housing Assistance Payments (HAP) contract.

The Housing Authority is making up to 50 Project-Based Vouchers available to affordable housing developers through a competitive process in accordance with the requirements included within this Request for Proposals (RFP). This RFP solicits the participation of owners who request Project Based Voucher assistance for newly constructed units. The Housing Authority reserves the right to select one, more than one, or no developments under this RFP and under no conditions shall the vouchers awarded either singularly or in combination exceed a total of fifty (50) vouchers.

C. Application Requirements

The Housing Authority will review all applications for Project Based Vouchers (PBV) submitted by the deadline. Before selecting projects, the Housing Authority will determine that each application is responsive to the selection criteria and procedures included in this RFP and Chapter 18 of the Housing Authority of Bexar County Texas Administrative Plan, and in compliance with HUD program regulations at 24 CFR §983. Applications that do not meet minimum accessibility requirements for units and project areas will not be considered.

Respondents will be expected to communicate with the Housing Authority regarding the application requirements and supply any additional information requested by the Housing Authority to complete the application process.

HUD Waivers: If a project that requires a waiver from HUD does not receive a waiver, that project will not receive funding unless the Respondent revises their proposal to meet HUD requirements. If the revisions impact the scoring of the application, the Commission will re-score and rank the proposal.

All applications must include the following items:

1. Evidence of site control. If site control is pending, please provide an explanation as to why and the expected timing for obtaining control of the property.
2. Statement that the project is within the territorial jurisdiction of the Housing Authority.
3. 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.
4. A statement that the property meets applicable eligibility requirements under 24 CFR Section 983 and HUD environmental regulations as per 24 CFR parts 50 and 58.

5. Certification that no construction has commenced prior to the execution of the Agreement to Enter into a HAP Contract (AHAP), as evidenced by Housing Authority inspection.
6. The proposed number of units to be project-based. The proposed number of project-based units should not exceed 25% of the total units in the project.
7. Documentation of the poverty rate of the area in which the site/project is located. The Commission will prioritize proposals located in a census tract with a poverty rate of not more than 20%. Projects located in areas with higher poverty rates may also be considered, but the Respondent must submit justification for the need to project-base units in such an area.
8. A detailed description of the housing project including:
 - a. The number of buildings in the project, and identification, by building, of the number of units by size (square footage), bedroom count and bathroom count. Identify the number and anticipated locations of all accessible units.
 - b. A listing of all features of accessible units.
 - c. A listing of amenities and services which will be provided on site.
 - d. A detailed description of the supportive services to be provided for the residents. Include information on the type of services, the frequency the services are offered, whether the services are provided on-site and whether there is a fee charged.
 - e. A description of the area in which the project is located, including a list of all employment centers, schools or colleges, public transportation, health facilities, and parks and recreational areas that are in the general area of the site/project and the distance of each from the site.
 - f. The estimated dates for the commencement and completion of construction.
 - g. Architectural schematic level drawings of the proposed project including elevations, unit plans, and the site plan.
9. Evidence that the proposed new construction is permitted by current zoning ordinances or regulations, or evidence to indicate that the needed rezoning is likely to be obtained and will not delay the project.
10. Information regarding the owner and other project principals.
 - a. The identity of the owner and other project principals and the names of officers and principal members, shareholders, investors, and other parties having a substantial interest.
 - b. A disclosure of any possible conflict of interest by any of these parties that would be a violation of the Agreement or the HAP contract; and
 - c. Information on the qualifications and experience of the principal participants.
 - d. Information concerning any participant who is not known at the time of the owner's submission must be provided to the Housing Authority as soon as the participant is known.

11. The owner's plan for managing and maintaining the units and identification of the proposed property management agent.
12. A Project Financing Plan with evidence of financing or lender interest and the proposed terms of financing. Financing Plan should include all sources and amounts of funding anticipated to be used to develop and operate the Project, including any local funding requests or awards.
13. Basic project financing schedules to include the following:
 - a. A sources and uses of funds table.
 - b. A detailed estimate of anticipated project construction costs.
 - c. A fifteen (15) year operating period pro forma cash flow analysis presenting anticipated initial contract rents for all units, both assisted and unassisted through PBV.
14. The proposed term of the HAP contract; and
15. Compliance with applicable General Plan policies and Development Code guidelines of the jurisdiction in which the PBV units will be located.
16. A statement that the proposed project meets requirements of Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988 and that the developer affirms continued implementation of all requirements of Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988.
17. A statement that the project meets the property requirements as indicated in HUD regulations for new construction, including the site and neighborhood standards, zoning requirements, and other Federal Requirements. Proposed projects must be able to meet all HUD requirements of the Project-Based Voucher program available for review at 24 CFR 983, including but not limited to evidence of site control, applicable environmental review, prevailing wage requirements and subsidy layering review.
18. Identity of Interest: If one of the Respondents presents an Identity of Interest related to the purchase, or financing of the property, the Respondent must submit a signed statement fully describing any identity of interest relationships. The proposal in question and the signed statement will be forwarded to the HUD field office or HUD-approved independent entity for review.

D. Respondent Questions and Responsibilities

It is the responsibility of the Respondent to address all communications pertaining to this RFP in writing to Vince Michel at vince.michel@habctx.org the Housing Authority Contact, only. Any party responding to this RFP or a party representing a Respondent shall not influence or attempt to influence any member of the selection committee, any member of the Board of Commissioners, or any employee of the Housing Authority, with regard to the acceptance of a response to this RFP. Any party attempting to influence the RFP process through ex-parte contact may be subject to rejection of their response.

Written questions must be submitted via e-mail to Vince Michel at vince.michel@habctx.org by the due date included within the schedule below. E-mails should include "RFP for Project Based Vouchers" in the

subject line. Questions will not be accepted via telephone.

E. Proposal Submission Requirements

1. Form:

Respondents must do the following:

Submit one (1) signed original and one (1) digital copy on a thumb-drive to the address below. Proposals must be enclosed in a sealed envelope or package and clearly marked PROJECT BASED VOUCHER PROPOSAL. Proposals shall be submitted to:

Vince Michel
Housing Authority of Bexar County Texas
1954 East Houston Street San Antonio, Texas 78202

2. Due Date: Proposals must be received no later than 5:00 p.m. CST March 20, 2024. The proposal due date is subject to change. If the proposal due date is changed, all known recipients of the original RFP will be notified of the new date.

3. General Instructions: To receive consideration, proposals shall be made in accordance with the following general instructions:

- a. The completed proposal shall be without alterations or erasures.
- b. No oral or telephonic proposals will be considered.
- c. The submission of a proposal shall be an indication that the Respondent has investigated and satisfied him/herself as to the conditions to be encountered, the character, quality, and scope of the work to be performed, and the requirements of the Housing Authority, including all terms and conditions contained within this RFP.

4. Format and Contents: For ease of review and to facilitate evaluation, the Proposal for this project should be organized and presented in the following order:

TAB A - Please include the following information:

1. Legal name of organization and Federal Tax ID number
2. Mailing address
3. Name, title, telephone, and email address of the contact person for this application
4. Organization website address
5. Project name and address
6. Project type:
7. Estimated date of occupancy:
8. Number of Project-Based Vouchers requested
9. Total units in this Project
10. Percent of units to be project-based

TAB B - Under TAB B of your submission, please include the following:

A. Description of Development —, Please include the following information in a description of the development.

1. Development Name
2. Property Address and Assessor Parcel Number(s)
3. Projected date of occupancy
4. Structure Type (e.g., Low-Rise or Hi-Rise Apt, Townhome, Duplex/Triplex/Fourplex)
5. Whether the project is a Tax Credit property?
6. If a Tax Credit Property, is property located in a Qualified Census Tract?
7. Census Tract of property
8. Poverty Rate in Census Tract
9. Property Configuration
 - a. Total units including non-PBV
 - b. Total fully accessible units including
 - c. Non-PBV units
 - d. Total PBV units
 - e. Total of fully accessible PBV units
 - f. PBV rents (Gross Rent)
10. Contract Rent
11. PHA Utility Allowances
12. Fair Market Rents (FMR)
13. Tax Credit Rent, if applicable
14. Accessibility for persons with disabilities – units and common areas
15. Any non-residential units (e.g., commercial, office) planned for the property
16. List the distance (in miles) from the property to the nearest:
 - a. Supermarket
 - b. Shopping district
 - c. Public transportation
 - d. Health services
 - e. Educational institution
 - f. Significant employers
 - g. Other neighborhood service
17. Site information:
 - a. Evidence of site control
 - b. Current Land Use Designation
 - c. Proposed Land Use Designation
 - d. Proposed Density (units/acre) No. of acres
 - e. Water/Sewer availability and location

18. Environmental considerations Reports/Studies completed (if the reports/studies have been started please indicating where in the process the project is). Documentation must be provided. Proximity to flood plain - Indicate presence of wetlands, vernal pools, endangered plant or animal species. Other known environmental constraints.

19. Affordability

- a. Total number of units to be built:
- b. Number of affordable rental units:
- c. Number of affordable ownership units:
- d. Number of units dedicated for:

30% AMI _____ 31-50% AMI _____ 51-80% AMI _____ 80%+ AMI Non-Restricted _____

B. Management Plan

Please describe the management plan for the property and include the requested information below:

- 1. Property Management Agent Name
- 2. Address of Property Management Agent
- 3. Property Management Agent website
- 4. Qualifications
- 5. Address and description of other properties managed
- 6. Personnel plan for the proposed project

C. Financial Information

- 1. Legal name of applicant with whom Project-Based Voucher HAP Contract will be established:
- 2. Type of organization (corporation, partnership, etc.)
- 3. Tax Exempt organization
- 4. Will rent at the property remain affordable after the expiration of the HAP contract?
- 5. Has the project received funding through any competitive process by any government entity?
- 6. Requested HAP Contract Term:
- 7. Does the Owner/Developer have Quality Development Project Experience? If yes, please describe.
- 8. Project Cost and Financing

- a. Project Costs
- b. Land Cost Land Cost Per Acre
- c. Predevelopment Soft Costs Hard Costs Total Project Cost \$
- d. Cost Per Unit \$
- e. Project Financing
- f. Anticipated funding from PBVs
- g. Amount of other permanent financing
- h. Amount of cash or loans currently in project

- i. Amount of owner's equity in project
- j. Amount of Deferred Developer Fee Total
- k. What are the administrative costs of this project, and how will they be funded?
- l. Existing or Committed Financing Sources
- m. Interim/Construction Financing
- n. Permanent Financing

TAB C – Certifications – Please include the following certifications to be signed and dated under Tab C:

1. A statement that the proposed project meets requirements of Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988 and that the developer affirms continued implementation of all requirements of Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988.
2. A statement that the project meets the property requirements as indicated in HUD regulations for new construction, including the site and neighborhood standards, zoning requirements, and other Federal Requirements. Proposed projects must be able to meet all HUD requirements of the Project-Based Voucher program available for review at 24 CFR 983, including but not limited to evidence of site control, applicable environmental review, prevailing wage requirements and subsidy layering review.
3. A statement that the project is within the territorial jurisdiction of the Housing Authority which is within Bexar County, Texas excluding the areas within the city limits of the city of San Antonio Texas, and Schertz Texas.
4. 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.
5. A statement that the information submitted in the RFP response and any supporting materials is true, accurate and complete to the best of the applicants' knowledge; The applicant acknowledges that any material changes to the project not disclosed to and approved by the Housing Authority may result in a denial or termination of the AHAP or HAP contract. Material changes include but are not limited to: changes in the project design, amenities, number and size of units; changes to the development budget; changes to the proposed rents or operating expenses; changes to the sources, amounts or terms of financing; changes to the ownership entity or key staff identified in this application or changes to other application items; The applicant acknowledges that the information submitted as part of this application, except material considered confidential, may be made available to the public; The applicant acknowledges that submitting an application does not promise or guarantee that the project will receive Project-Based Voucher funding.

F. Proposal Selection

Complete proposals submitted to the Housing Authority in the required format and including all required documentation will be reviewed, evaluated, and ranked by a Project-Based Voucher Selection Committee. The Housing Authority's Board of Commissioners will make the final selection decisions. The Project-Based Voucher Selection Committee will consider the content of each application, including but not limited to responsiveness to the requirements of this RFP, references, related experience, and the Respondent's professional qualifications, using the evaluation criteria identified below.

The Project-Based Voucher Selection Committee will use the Evaluation Criteria provided in Section H of this RFP to rank applications. If there are not enough vouchers to fully fund a proposal, the Respondent will be given the opportunity to accept a lesser number of vouchers than requested or decline all the vouchers. The Housing Authority will make every effort to provide a written selection decision to all Respondents within 30 days of the close of this Request for Proposals. If selected, the Respondent will be expected to cooperate with the Housing Authority in providing any additional information requested by the Commission or HUD in the final approval process.

G. Proposal Evaluation Criteria

Per HABC's Administrative Plan, the Housing Authority may not select a proposal unless it has determined that the site/development a) is consistent with the goal of deconcentrating poverty, b) expands housing and economic opportunity, c) is suitable from the standpoint of facilitating and furthering full compliance with the applicable laws and regulations, d) meets HUD's HQS standards, the subsidy layering review, and the environmental review.

HABC may consider some or all of the following site/development selection criteria in evaluating proposals.

1. Housing that serves families with children, consistent with the needs indicated by the HCV program waiting lists and/or other documented needs.
2. Housing that serves homeless households.
3. Housing that serves households with special needs.
4. Housing that reduces concentrations of poverty and or need by serving very low-income populations within mixed income developments.
5. Housing that provides opportunities to increase the diversity of Bexar County neighborhoods.
6. Housing that provides an appropriate level of referrals to appropriate local services providers.
7. Housing that commits to serving extremely low-income households.
8. Housing that provides opportunities for clients to reach economic self-sufficiency.
9. Housing that provides access to educational opportunities.
10. Housing that maximizes the use of other funding sources and leverages the use of HCV Program funds.
11. Housing that meets the accessibility requirements of section 504 of the Rehabilitation Act and the design and construction requirements of the Fair Housing Act.

H. Proposal Evaluation Scoring Metrics

1. Project Design - 20 points maximum

- a. Project design incorporates site, unit and common area features and amenities that are responsive to the needs of the resident population. – 5 points.
- b. For New Construction: The applicant certifies that the project will be developed in accordance with the minimum requirements of any one of the following programs: - 10 points.
- c. Project demonstrates deployment of cost-effective construction methods – 5 points.

2. Financial Feasibility of Project - 20 points maximum

- a. Project demonstrates financial feasibility for the 15-year Housing Assistance Payments Contract period. Projects receiving the highest scores will document operating feasibility using generally accepted affordable housing finance assumptions and modeling and will provide a detailed operating plan identifying all sources of funding. – 10 points.
- b. Project demonstrates maximum feasible affordability of rent restricted and market-rate units over the life of the HAP contract. – 5 points
- c. An additional 5 points will be provided to projects that provide maximum financial feasibility for 30 years (15-year HAP + 15-year extension) – 5 points

3. Experience with Similar Projects - 25 points maximum

- a. Owner/Manager demonstrates experience and ability to design and construct high quality affordable housing units at all levels of affordability. – 15 points.
- b. Owner/Manager has experience with a project-based voucher program or is partnering with another entity with such experience. – 5 points.
- c. Owner/Manager has experience with effective property management. – 5 points.

4. Deconcentration of Poverty - 20 points maximum

- a. Project is located in an area where the poverty rate is less than 20%, or in an area where the overall poverty rate declined over the past five years (documentation demonstrating the reduction in poverty rate must be included). – 5 points.
- b. The project is located in an area where there are, within a reasonable traveling distance, meaningful opportunities for educational and economic advancement. Educational opportunity includes adult education, vocational school, state, or community college. Economic advancement opportunities include retail and other businesses offering entry-level job opportunities. – 5 pts.

- c. Project is adjacent to or located within 1 mile of transit services – 5 points.
- d. Project demonstrates that it achieves social equity through affirmative marketing and furthers State and Federal Affirmatively Furthering Fair Housing goals – 5 points.

5. Unit Bedroom Mix Available - 10 points Maximum

- a. Units to be project-based include more than one unit type and consist of all bedroom sizes including one, two, three and four bedrooms that promotes the availability of units for larger families. – 10 points.

6. Proposed Contract Rent - 5 points maximum

- a. Proposed contract rent is no greater than the HUD published Fair Market Rent for the area – 5 points.

Total combined maximum score – 100 points.

I. Corrections and Addenda

1. If a Respondent discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Respondent shall immediately notify the contact person of such error in writing and request clarification or modification of the document. Modifications will be made by addenda as indicated below to all parties in receipt of this RFP.
2. If a Respondent fails to notify the contact person prior to the date fixed for submission of proposals of a known error in the RFP, or an error that reasonably should have been known, the Respondent shall submit a proposal at their own risk, and if the Respondent is awarded project-based vouchers, they shall not be entitled to additional compensation or time by reason of the error or its subsequent correction.
3. Addenda issued by the Housing Authority interpreting or changing any of the items in this RFP, including all modifications thereof, shall be incorporated in the proposal. The Respondent shall submit the addenda cover sheet with the proposal. Any oral communication by the Housing Authority's designated contact person or any other Housing Authority staff member concerning this RFP is not binding on the Housing Authority and shall in no way modify this RFP or any obligations arising hereunder.

J. Reservation of Rights

The issuance of this RFP does not constitute an agreement by the Housing Authority that any contract will actually be entered into by the Housing Authority. The Housing Authority expressly reserves the right at any time to:

1. Right to Reject, Waive, or Terminate the RFP - The Housing Authority reserves the right to reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, in its sole and absolute discretion, if deemed by the Housing Authority to be in its best interests. By submitting a proposal in response to this RFP, the Respondent waives all rights to seek any legal remedies regarding any aspect of this RFP, the Housing Authority's selection of a proposal, and the Housing Authority's rejection of any and all submittals.
2. Right to Not Award - The Housing Authority reserves the right not to award Project Based Vouchers pursuant to this RFP.
3. Right to Terminate - The Housing Authority reserves the right to terminate an award of Project Based Vouchers pursuant to this RFP, at any time for its convenience upon 5 business days written notice to the successful Respondent(s).
4. Right to Determine Financial Responsibility and Viability - The Housing Authority reserves the right to require of Respondent information regarding financial responsibility and viability or such other information as the Housing Authority determines is necessary to ascertain whether a proposal is in fact financially viable.
5. Right to Request Additional Information - The Housing Authority may, during the evaluation process, request from any Respondent additional information which the Housing Authority deems necessary to determine the Respondent's ability to construct and manage proposed units. If such information is requested, the Respondent shall be permitted three (3) working days to submit this information.
6. Right to Retain Written Proposals - The Housing Authority reserves the right to retain all written proposals submitted to Housing Authority by all Respondents in response to this RFP, and not permit the withdrawal of same for a period of 60 calendar days subsequent to the deadline for receiving said proposals. The Housing Authority may permit the withdrawal of proposals if requested in writing by the Respondent and such request is approved in writing by the Housing Authority's Executive Director in her sole and absolute discretion.
7. Right to Negotiate Fees - The Housing Authority reserves the right to negotiate any price or provisions and accept any part, or all parts of any or all submittals, whichever is in the best interest of the Housing Authority.
8. Right to Reject Any Proposal - The Housing Authority 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.
9. No Obligation to Compensate - The Housing Authority shall not be liable for any pre-contractual expenses incurred by any Respondent. The Housing Authority shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFP.

10. Public Disclosure of Proposal Documents - To the extent applicable, documents submitted in connection with this RFP may be subject to disclosure pursuant to the Texas Public Records Act. In the event that a Respondent desires to claim portions of its submittal exempt from disclosure, it is incumbent upon the Respondent to clearly identify those portions with the word "confidential" printed on the lower right-hand corner of the page. The Housing Authority will consider a Respondent's request for exemption from disclosure; however, the Commission will decide based upon applicable laws. Assertions by a Respondent that the entire submittal or large portions are exempt from disclosure will not be honored. All responses to this RFP shall become the property of the Housing Authority and will be retained or disposed of accordingly. All Respondents submit their applications to the Housing Authority with the understanding that the final approval of any agreement is contingent upon and subject to review and final approval by the Housing Authority's Board of Commissioners.

K. Protest Process

Any and all protests must be in writing and must comply with the timelines and procedures set forth below. Any directly affected party who is aggrieved in connection with the solicitation or award of a contract may file a protest regarding the procurement action. Such protest must be filed in writing with:

Housing Authority of Bexar County Texas
Neldys Ortiz, Executive Director/Contracting Officer
1954 East Houston Street
San Antonio, Texas 78202

Protests must be filed within seven (7) calendar days from the date notice of intent to award is issued by the Commission. Failure to timely file a protest shall constitute a waiver of any right to protest. Untimely protests will not be accepted or considered. Any protest shall:

- State in detail each and every ground asserted for the protest, citing to the law, rule, local ordinance, procedure or bid provision on which the protest is based; and
- Identify the remedy sought.