



CITY OF NIAGARA FALLS, NEW YORK
HON. ROBERT M. RESTAINO, Mayor

REQUEST FOR PROPOSAL

**HOME INVESTMENT PARTNERSHIP PROGRAM
(HOME)**

ISSUE DATE:

August 4 2023

PROPOSAL SUBMISSION DEADLINE:

September 29, 2023

**CLIFFORD SCOTT, DIRECTOR
COMMUNITY DEVELOPMENT**

Niagara Falls Community Development Department

www.nf-cd.org www.niagarafallsusa.org

745 Main Street, P.O. Box 69

Niagara Falls, New York 14302



HOME Investment Partnership Program Introduction and Proposal Submission Requirements

The City of Niagara Falls, New York ("City") is seeking proposals through the federal HOME Investment Partnership Act for construction or rehabilitation of housing for low to moderate income homeowners as follows:

- 1) **Proposals from a non-profit homebuilder Community Home Development Organization (CHDO: <https://www.hudexchange.info/programs/home/topics/chdo/#policy-guidance-and-faqs>) to partner with the City and build Single Family Housing on City owned lots using a combination of HOME funds, equity, grants, etc.;**
- 2) **Proposals from an entity that is requesting HOME funds to newly construct or rehab any multifamily housing in the City using a combination of HOME funds, equity, grants, etc. The entity can be non-profit or for profit but must meet HUD guidelines for eligibility purposes.**

New homes must be sold to low or moderate income individuals or families who will occupy the home as their principal residence during a 20 year affordability period. The homes will be subject to conveyance restrictions, resale restrictions and recapture provisions, Multi-family housing must have affordable rents so as to be occupied by low or moderate income individuals or families.

More than one proposal may be selected from each category. Selection criteria include the experience of the applicant, ability to carry out the project and amount of private funds invested.

The HOME Investment Partnership Program was created under Title II of the National Affordable Housing Act of 1990. The general purposes of HOME are expanding the supply of decent and affordable housing particularly rental housing, for low and moderate income residents, strengthening the abilities of State and local governments to design and implement strategies for achieving adequate supplies of decent affordable housing, providing financial and technical assistance to participating jurisdictions, extending and strengthening partnerships among all levels of government and the private sector, including for profit and nonprofit organizations, in the production and operation of affordable housing.

Through this program, activities have been undertaken to enhance ongoing neighborhood revitalization efforts. For the funding period covered by this application the City will assess proposals received that address the goals outlined in the City's Consolidated Plan.

The City of Niagara Falls Consolidated Plan may be found at:

<https://niagarafallsusa.org/wpfb-file/consolidated-plan-for-2020-2024-pdf/>

Information regarding the HOME Program and implementing regulations and guidelines for the 2012 and subsequent year's allocation (CPD Notice 2012-07) can be found at:

<https://www.onecpd.info/home/home-final-rule/>

<http://www.hud.gov/offices/cpd/affordablehousing/programs/home/index.cfm>

http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/notices/cpd

Recipients of HOME funds must comply with all applicable federal requirements set forth in Title 24 CFR Part 92 of the Code of Federal Regulations

(See <https://www.onecpd.info/home/home-final-rule/>).

Applicants are expected to be familiar with the guidelines/regulations that govern the HOME program which include but are not limited to:

1. Affordability requirements
2. Relocation regulations
3. Lead Based Paint
4. Conflict of Interest
5. Procurement
6. Affirmative Marketing and Fair Housing
7. Affirmative Action and Minority and Women Business Enterprises
8. Environmental Reviews
9. Where applicable, Davis-Bacon regulations
10. Any other regulations that may apply.

Applicants must provide copies of their entity's policies with respect to enforcing these requirements. The regulations provide that the City has the right to impose stronger requirements than those stated in these regulations.

Proposal Rules

Reservations

1. City reserves the right to accept or reject any or all proposals received;
2. City reserves the right to seek additional information from organizations, especially those not previously funded by City;
4. City reserves the right to establish spending guidelines for all projects;
5. All funding decisions related to this RFP are subject to all applicable federal, state and local laws and regulations, and the policies and procedures of City for the administration of federal funds.
6. Applicants should be aware that this is a preliminary application/Request for Proposal and there may be additional submissions required. A final grant agreement will be required for all accepted applicants following completion of a review of all preliminary proposals.

Eligible Applicants

1. Applicants must be incorporated for profit or non-profit entities to undertake affordable housing activities within the boundaries of the City of Niagara Falls.
2. Applicants must demonstrate the financial management and programmatic expertise to successfully develop, design, implement and monitor the proposed activities. This expertise is demonstrated through previous experience in successfully developing projects similar to the one proposed, either by partners or key staff within the business or organization.
3. Applicants must be able to meet, and/or will be subject to other Federal requirements relative to the HOME program, specifically those concerning equal opportunity and fair housing, affirmative marketing, environmental review, displacement, relocation, and acquisition, labor, lead-based paint, conflict of interest, debarment and suspension, and floor insurance. Federal requirements include those listed in Title 42, Chapter 130 and CFR Title 24 Part 92. All applicants should be aware that additional federal requirements apply.
4. Applicants must demonstrate to City's satisfaction that no City, City School and/or County of Niagara tax arrearages or other fees or obligations exist nor are there any pending City of Niagara Falls Housing Court Cases and or open letters of violation for property owned by the applicant and principals.
5. Any person or subcontractor undertaking a part of the work under the terms of the Grant Agreement, by virtue of any agreement with the Applicant, must be approved by the City prior to any such undertaking. In the event the Applicant desires to subcontract some part of the work specified herein, the Applicant shall furnish with their proposal the names, qualifications, and experience of his/her proposed subcontractors. Subcontractors shall conform, in all respects to the provisions specified for the Applicant. The Applicant shall, however, remain fully liable and responsible for the work done by their subcontractors.

Evaluation Criteria

Funds will be awarded to those applicants whose proposals best meet the following selection criteria, offer the greatest prospects of successful completion and demonstrate the capacity to ensure continuous compliance with funding regulations:

- 1. Completeness of the Application** - All required documents have been submitted and the project is presented in a clear and concise manner

2. Experience and Qualifications for the size and type of project proposed

Applicant and any affiliated partners -
Has successfully completed project(s) similar in size and scope
Completed similar project(s) but smaller in size and scope
Engaged consultant which has completed project similar in size and scope

3. Marketing Needs Analysis/Affirmative Marketing

Addresses stated needs
Addresses targeted population
Current locations target population will be drawn from
Housing is affordable to low-moderate income families

4. MBE/WBE/DBE Participation - Proposal includes meaningful participation from certified Minority and Women Business Enterprises, minority and women workforce participation.

5. Project Budget –The HOME Funds are considered as a final or last source to complete a project. A successful project is not necessarily a project that requires the maximum funds allowable by HOME but rather utilizes the HOME funds most economically to produce a successful project. The Project budget must be complete, and all sources and uses of funds are clearly defined and documented with evidence of commitments. Costs are limited to amounts or percentages specified in the request for proposals.

6. Cost Reasonableness - Soft costs and construction costs are reasonable for the size and type of project proposed.

7. Leveraging - The ratio of HOME funds to other sources

8. Project Readiness - Predevelopment and construction timelines are reasonable and achievable.

All proposals must be submitted to City by September 29, 2023.

Each application will undergo a completeness review by City to ensure that all required documents are completed and submitted. Complete applications will go on to an Eligibility Review. For non-compliant submissions, the applicant will receive an Application Review Letter from City stating that the application was incomplete, and not selected for funding.

Applications which pass the completeness review are then reviewed for programmatic eligibility to ensure that the proposed project meets all statutory requirements of the HOME program and are consistent with the approved activities submitted to HUD in the City Consolidated Plan.

Applications which fail to meet all of the programmatic eligibility requirements will not be reviewed further. The applicant will receive an Application Review Letter from BURA stating that the application was not selected for funding and identifying the eligibility factors determined to be satisfactory or unsatisfactory within the submission.

Submit completed proposals no later than **4:00pm on September 29, 2023** to:

Clifford M. Scott
Director of Community Development
City Hall, 745 Main St. Room 17
Niagara Falls, N.Y. 14302

Proposal Cover Sheet

CITY OF NIAGARA FALLS HOME INVESTMENT PARTNERSHIP PROGRAM

Applicant Name: _____

Project Name: _____

Project Address: _____

Federal Tax ID Number: _____

Applicant Status:

_____ Private Corporation/Individual

_____ Non-Profit Corporation

_____ Other (Describe): _____

Total Number of Units: _____

Number of HOME-Assisted Affordable Units: _____

Total Project Cost: _____

HOME Funds Requested: _____

Chief official of applicant

Name Title _____

Mailing Address City, State, Zip _____

Email _____

Phone _____

Fax _____

Designated contact person for this application

Name Title _____

Mailing Address City, State, Zip _____

Email _____

Phone _____

Fax _____

I HEREBY SUBMIT THIS PROPOSAL FOR THE CONSIDERATION OF FINANCIAL ASSISTANCE IN SUPPORT OF THE PROJECT HEREWITHIN DESCRIBED. I CERTIFY THAT ALL INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. IF SELECTED FOR FUNDING, I WILL COOPERATE FULLY WITH THE CITY OF BUFFALO TO COMPLY WITH LOCAL AND FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM GUIDELINE'S, AS APPLICABLE.

The undersigned certifies that to his/her knowledge as of the date hereof, no principal, officer, board member, employee responsible for managing finances, consultant or contractor acting as a fiscal agent of or to the Applicant, has been convicted of a local, state or federal criminal offense involving moral turpitude or dishonesty in the last 10 years or, if sooner, since reaching the age of eighteen (18). (If the Applicant cannot certify to this statement, please submit a signed statement explaining the related facts and circumstances). To the extent required by City, the undersigned agrees to reaffirm this certification on prior written notice from City.

Authorized Signature: _____

Date: _____

Printed Name and Title: _____

Confidential Background Information Disclosure, Authorization and Release Form

This form must be completed by the Primary Management and Governance Principals of your firm/organization, including but not limited to:

Check applicable title:

President/Board Chair _____
Executive Director/Chief Operations Officer ____
Chief Financial Officer/Treasurer/Bookkeeper __
Other (specify) _____

And any individuals authorized to conduct financial transactions on behalf of your firm/organization over \$5,000.

Title: _____

Print Name: _____
(First) (Middle) (Last)

Applicants Signature: _____

Aliases/Other Names: _____
(First) (Middle) (Last) Generation (suffix)

Does Applicant have a Maiden / AKA / FKA Name? No _____ Yes _____
Maiden Name / AKA / FKA _____

Social Security number: _____

Daytime Phone: () _____

Date of Birth: _____
(Month, Day, Year)

Evening Phone: () _____

Driver's License #/state of issue _____

Present Address: _____

City/State/Zip Date at Present Address
From/to (MM/YY) _____

Previous Addresses _____

Applicant, please provide addresses of residences for the past seven years, including street address, city, state, zip, and country, dates of residences for each address.

I have carefully read and understand this Disclosure, Authorization and Release form. By my signature below, I consent to the release of information I hereby authorize any law enforcement agency to furnish the City of Niagara Falls, NY or its agents information related to my criminal history. I hereby release the City of Niagara Falls, NY and all its agents and employees, the law enforcement agency, and all employees of law enforcement agencies furnishing information from all liability resulting from the furnishing of this information to the City of Niagara Falls, NY. I certify that the statements made by me on this form are true, complete and correct to the best of my knowledge and belief and are made in good faith. I understand that providing any false statements or omitting any material information will be sufficient grounds for rejection of the application for assistance, or termination of any related agreement, and that any commitment made on behalf of the City of Niagara Falls, NY may be voided immediately.

Applicant Signature _____

Date _____

Narrative Components of the Request for Proposal Response

a. Project Description - Provide a detailed description of the project that is proposed. Please include the following information:

- i. Location of the housing units
- ii. General redevelopment strategy and how it fits into the larger neighborhood plan
- iii. Number and type of units included
- iv. Details regarding building types (number bedrooms/unit, square footage, any special amenities, ownership structure, strategy per unit)
- v. Details regarding the use of building materials, utility types
- vi. For proposed rehabilitation please include - the average age of the buildings, extent of rehabilitation to be completed prior to occupancy, number of current occupants, current utilities (type of heating/cooling), and storm drain system.

b. Target Market Describe the targeted population that will occupy the units after development work is complete. Please include information on the target population by income levels, household sizes, and any special needs (elderly, physically or mentally disabled, homeless, etc.).

c. Extent of Affordability List anticipated monthly rent for each type/size of unit based on current market conditions and HOME rent limits. Include rates for both subsidized and non-subsidized units, if applicable. Indicate if rents include utilities and indicate the expected monthly utility expenses if not included in the rent.

d. Justification for Subsidy

- i. Briefly justify the level of funding requested by describing the relationship between the cost of the project and the required revenue needed to support project feasibility. Include requirements of other funding sources and all costs to be charged to the project (i.e., relocation, infrastructure costs, etc.). The Development Pro forma and Operating Pro forma should support the size of the request and funding requests from other sources. Any project contingencies should also be noted
- ii. Describe what other assistance is needed or would be beneficial in order to meet project financing costs and minimize total development costs.

e. Current Status/Project Readiness Describe where in the development process the project stands at the time of proposal submission. Include a projection of future significant dates, any and all anticipated barriers to overcome and expected completion date. If other funding sources already secured for this project, please provide proof of funding.

f. Green Building/Elements of Sustainability Green affordable housing has the potential to reduce operating costs, promote resident health, encourage resource conservation, and mitigate negative environmental impacts. Describe how your project will incorporate Green Building/Elements of Sustainability in the construction and subsequent operation of the project. Describe which LEED designation your project will seek and list all energy efficiency measures planned for the project and the savings/impacts expected. Describe how this affordable housing project will promote climate resiliency and smart growth principles by using environmentally friendly features such as location efficient siting, energy.

Budget Information

- i. Provide a full development budget with sources and uses
- ii. Provide a pro forma describing how the project will cash flow (if rental)

Your proposal submission should include a summary table of all properties in the application with the following information:

- Site Address
- Number of Units before developed
- Number of Units after developed
- Development strategy
- Total Development Cost
- HOME subsidy requested
- Other sources of funding and amounts

All costs of development including hard and soft costs should be included. A developer's fee up to ten percent (10%) of total development cost is allowable.

Agency History

Experience and Credentials Discuss organization's history and briefly describe like projects that have been developed over the past five years.

Development Team. Identify all current and proposed Development Team Members

- i. List all development team members and their role/responsibilities for the proposed project
- ii. Provide resumes and/or appropriate credentials/history for each
- iii. List should include but not be limited to Legal Partners, Financial, Accounting, Construction Monitoring/Management, Consultant Services such as Section 3 monitor, Environmental Remediation Firms, Environmental Monitoring Firms and any other Affiliated Partners

Development Budget

Provide a Development Budget. The Development Budget should include sources and uses for acquisition, construction costs, soft costs, including developer fee, and other development costs,

Project Pro Forma

Provide a Project Pro Forma for rental projects projected for ten years. The Pro Forma should include rental and other income, with projected vacancy loss, administrative expenses, maintenance and operating expenses, utility expenses, taxes, insurance, debt service and operating and replacement reserves.