

**FLORIDA HOUSING FINANCE CORPORATION**  
**Board Meeting**  
**June 21, 2013**  
**Action Items**



# FORECLOSURE COUNSELING PROGRAM

## *Action*

### I. FORECLOSURE COUNSELING PROGRAM

#### A. Request Approval of Program Parameters and the Funding Allocation for the Foreclosure Counseling Program

##### 1. Background

- a) On January 17, 2013, the Legislative Budget Commission approved a \$10 million allocation from National Mortgage Settlement funds to provide foreclosure counseling services to be administered by Florida Housing.<sup>1</sup> The funding will allow Florida Housing to carry out the following objectives:
  - Help prevent homeowners from going into foreclosure; and
  - Provide at-risk homeowners with good financial management education to help them better manage their money and assist them with credit problems to become financially stable.
- b) As outlined to the Board at its February 1, 2013, meeting, the program will meet these objectives by providing funding on a fee-for-service basis to HUD approved housing counseling agencies (HCAs) to carry out foreclosure counseling services and more extensive financial management education. The program approach will be to provide free counseling support for at risk homeowners that augments counseling provided through other initiatives, such as the federal National Foreclosure Mitigation Counseling (NFMC) Program.
- c) The staff estimates that this new program will serve a minimum of 10,500 homeowners by building on the basic services provided in the NFMC Program, which Florida Housing administers through contracts with local HCAs. The objective of this new program would be to more fully support homeowners through their delinquency resolution negotiations. [Exhibit A](#) provides a chart to show the approximate timing and flow of services to homeowners, from client intake through a successful loan modification, a period of approximately two years, depending on how quickly the lender responds to a homeowner request for a loan modification.

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<sup>1</sup> Attorney General Pam Bondi formally entered a \$25 billion joint federal-state settlement with the country's five largest mortgage servicers over foreclosure abuses and unacceptable nationwide mortgage servicing practices. The National Mortgage Settlement provides an estimated \$8.4 billion in relief to Florida homeowners and addresses future mortgage servicing practices. Florida borrowers will receive an estimated \$7.6 billion in benefits from loan modifications, including principal reduction. Another \$170 million is available for cash payments to Florida borrowers who suffered servicing abuses and lost their homes due to foreclosure during a specific time. Finally, the state has received a direct payment of \$334 million from the settlement, some of which is funding this program and other appropriations to Florida Housing this year.

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- d) The typical process is for a homeowner to make an appointment to see a counselor and then to provide information on their mortgage, other loans and debts and income at the first meeting. With this information, the counselor will develop an action plan for each client tailored to their needs and revised as circumstances change, and will assist them with contacting lenders and others throughout the process. If the homeowner's situation is such that the counselor believes the lender will consider a loan modification, the counselor will assist the homeowner in preparing documents to submit to the lender. Once the lender responds to the modification request, the counselor will assist the homeowner in preparing the documentation needed and communicating with the lender to finalize the loan documents. Typically, lenders require homeowners to enter a temporary loan modification to test the homeowner's ability to make payments and stay on course. The counselor will keep in contact with the homeowner through this period to evaluate the homeowner's progress, and follow up for several months after the loan modification becomes permanent.
- e) If the counselor's evaluation of a homeowner's situation is that there is no way they can manage mortgage payments even with a modification, or if a temporary loan modification is unsuccessful, the counselor will work with the homeowner to contact the lender in order to provide the most effective, supportive path for the homeowner to take in divesting themselves of the mortgage and the home. This may involve a short sale, deed in lieu of foreclosure or other mechanism that allows the family to find new housing and move with the least disruption to family members.
- f) The overall goal is to provide families with the ability to follow a tailored plan throughout the modification or foreclosure process, even after counseling is completed. In addition to an action plan for their situation, many families also need financial education to ensure that these situations are less likely to occur in the future.

## 2. Present Situation

- a) At its February 1, 2013, meeting, the Board authorized the staff to issue a Request for Qualifications to HCAs to provide foreclosure counseling and financial management to homeowners. Florida Housing expects to contract with approximately 50 HCAs around the state to provide services to homeowners. The Board approved the majority of HCAs at the April 26, 2013, meeting and is being asked to approve additional HCAs at this meeting.
- b) Florida Housing staff has been working with HCAs and other experts to develop parameters and processes for this program. [Exhibit B](#) provides a summary of counseling services and expected fees that are proposed to be reimbursed to HCAs for provision of services to homeowners. As counseling services are provided by HCAs, they will bill Florida Housing for reimbursement according to milestones prescribed in their contracts with us.
- c) To ensure that program funding for counseling is available to the areas of the state in greatest need, an allocation has been developed to reserve funding by geographic areas. HCAs will have access to funding for counseling services for homeowners in each area based on the relative level of need in their area compared to other areas of the state. The data for this determination are the proportion of delinquent and foreclosure-eligible first mortgage residential loans in each county as a portion of the statewide number of such loans.

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- d) Of the \$10 million in funding for the program, 7.5% is allocated for administrative tasks (described below), leaving \$9,250,000 to provide direct assistance to homeowners. The proposed allocation reserves \$7 million to be used for services to homeowners in each county based on the county's portion of the statewide need, with a minimum of \$5,000 per county allocated for counseling services to homeowners. The remaining \$2.25 million will be placed into a pool to be accessed once a county's allocation is fully used. This will ensure that we are moving funding as quickly as possible. After the initial period, which could be as long as one year, Florida Housing staff will evaluate expenditures in the program and, as necessary, propose revisions to the allocation methodology to ensure that program funds continue to flow expediently throughout the state. But this initial allocation based on areas of need provides assurances that, as the program is getting off the ground, HCAs throughout the state can depend on funding being available to help at risk homeowners in their areas. [Exhibit C](#) provides the proposed allocation by county.
- e) A program budget is attached as [Exhibit D](#). As noted above, Florida Housing has the authority to use 7.5% of the total funding for administrative costs. We have budgeted this funding for training and technical assistance, compliance and quality assurance monitoring, and data reporting functions. Some of these functions will be carried out by contracting for services. We expect to use existing third party servicers under contract with Florida Housing to provide compliance monitoring, and we will use internal staff for quality assurance monitoring as needed. At its April 2013 meeting, the Board approved staff to begin negotiating with a selected contractor to assist the staff in carrying out training and technical assistance with the HCAs on foreclosure counseling and the particulars of this program. The contractor, known as the Florida Housing Counseling Network, will also monitor the quality of HCA counseling services to ensure that high quality counseling services are being provided to homeowners.
- f) A critical component of this program is collecting and managing data on homeowners served. Not only does Florida Housing require this information for billing purposes, we also need to monitor the outcomes of the program to determine its success in helping at risk homeowners. After evaluating existing data management software for this purpose and discussing available options with providers, the executive director determined that it was in the best interest of the program, Florida Housing and the public, per Rule 67-49.002(4), Florida Administrative Code, to purchase the software service from Counselor Direct without going through the competitive solicitation process. Our evaluation showed that no other vendor was ready to proceed within the time allowed to get this custom database management system up and running quickly, and we found that this company was ready and able to proceed within the necessary time frame. Florida Housing has ongoing experience with Counselor Direct in the Hardest Hit Program.
- g) Next Steps:
  - (1) Once the Board has approved the program parameters, we expect to finalize the scope of services, complete contracts with any remaining HCAs, and work with the Florida Housing Counseling Network to complete program training modules. Training will be offered

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throughout the state in June, and we expect kickoff of the program to occur in July.

- (2) Once the program is up and running, the HCAs will provide services to homeowners and provide Florida Housing with data on services rendered and homeowner status each month, as specified by contract, in order to be reimbursed. Ongoing administrative activities will include: monitoring of counseling for quality assurance and, as needed, technical assistance for HCAs; monitoring of billing and any eligibility requirements for all participating HCAs; and monitoring for possible fraud.
- (3) Using data from the HCAs, Florida Housing will evaluate program success and provide regular progress reports on program outcomes. Florida Housing will provide regular progress reports to the Board, Governor, Legislature and Attorney General on this program. We expect to provide the following reports:
  - (a) • In the first year, monthly reports beginning the month after implementation summarizing critical outputs, including the number of homeowners served, the number of counseling events carried out and other performance metrics; and outcomes, such as the number of successful permanent loan modifications – with information to be augmented as necessary over time;
  - (b) • After the first year, quarterly reports with the type of information listed above; and
  - (c) • Annually, a report to Governor, President of the Senate, Speaker of the House of Representatives and the Office of the Attorney General, that details the status of all program activities and outcomes.

### 3. **Recommendation**

Staff recommends that the Board approve the program parameters and the funding allocation for the Foreclosure Counseling Program.

## HARDEST-HIT FUND

### *Action*

## II. HARDEST-HIT FUND

### A. Request Approval to Allocate Funds, Submit Term Sheets, Open Rulemaking and Enter into Agreements for Needed Services for the Hardest Hit Fund (“HHF”) Elderly Mortgage Assistance Program (“Elmore”)

#### 1. Background

At the December 7, 2012 Board meeting, staff submitted a concept for an HHF Program that would assist senior homeowners who are in default under their Reverse Mortgages as a discussion item ([Exhibit A](#)). The Board authorized staff to work on a draft term sheet for this strategy.

#### 2. Present Situation

Staff has continued its work with the Department of Elder Affairs (“DOEA”) and Fannie Mae on this program and has developed a draft term sheet ([Exhibit B](#)). To implement this program, staff will need to open the rulemaking process, work with the U.S. Treasury on term sheets and enter into agreements for needed services.

#### 3. Recommendation

Authorize staff to allocate up to \$25 million in HHF funds, open the rulemaking process, enter into agreements for needed services and work with the U.S. Treasury on term sheets for the Elmore program as well as for our existing programs, if necessary, subject to further approvals and conditions from counsel, the U.S. Treasury and the appropriate Florida Housing staff.

## LEGAL

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### III. LEGAL

#### A. The Arbors Senior Apartments, L.P. v. Florida Housing Finance Corporation - FHFC Case No.: 2012-012UC; DOAH Case No. 12-001631

<b>Development Name: (“Development”):</b>	<b>The Arbors</b>
<b>Developer/Principal: (“Developer”):</b>	<b>RLI Beneficial Development 11, LLC</b>
<b>Number of Units: 120</b>	<b>Location: Hillsborough County</b>
<b>Type: Mid-Rise with Elevator</b>	<b>Set Aside: 10% @ 33% AMI 90% @ 60% AMI</b>
<b>Demographics: Elderly</b>	<b>Housing Credits: \$1,748,881 (request)</b>

#### 1. Background

- a) The Arbors Senior Apartments, L.P. (“Petitioner”) applied for funding, under Application #2011-127C, during the 2011 Universal Application Cycle, seeking Low Income Housing Tax Credits. Petitioner was notified by Florida Housing Finance Corporation (“Florida Housing”) of its final Application score on March 28, 2012, a score that was insufficient to place Petitioner in the funding range. Petitioner timely filed a Petition for Informal Administrative Proceeding under Sections 120.569 and 120.57(1), Florida Statutes, challenging Florida Housing’s scoring of its Application. Specifically, Petitioner challenged Florida Housing’s decision to discount a local bus stop submitted to obtain Proximity Tie-Breaker points.
- b) An informal hearing on this matter was held on May 9, 2012 before Florida Housing’s designated Hearing Officer. During the hearing, the Hearing Officer determined that a dispute of material fact existed, and relinquished jurisdiction to the Division of Administrative Hearings (DOAH) for a formal hearing pursuant to Section 120.57(1), Florida Statutes.
- c) A formal hearing was then scheduled for July 17, 2012, before which Petitioner obtained new counsel. As a result, the hearing was rescheduled for August 28, 2012. The formal hearing was again continued by request of both parties to November 9, 2012. Subsequently, the parties agreed to attempt to resolve the factual dispute and moved the Administrative Law Judge (ALJ) to relinquish jurisdiction back to Florida Housing for a second informal hearing. The ALJ granted this motion on November 8, 2012.
- d) Since that date, Petitioner has filed no pleadings, motions, discovery requests or other documents in furtherance of its case, and has made no requests to schedule an informal hearing in this matter.

#### 2. Present Situation

The burden to go forward in this case lies with Petitioner, and it has been more than six (6) months without any significant activity in this case. Accordingly Florida Housing has filed a Motion for Order Closing File in order to dispense with this case and dismiss the Petition, without prejudice. A copy of this Motion is attached as [Exhibit A](#).

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3. **Recommendation**

Staff recommends that the Board grant the Motion and issue an Order Closing File in this matter.



## LEGAL

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#### B. In Re: Villa Aurora, LLLP

<b>DEVELOPMENT NAME (“Development”):</b>	<b>Villa Aurora</b>
<b>DEVELOPER/PRINCIPAL (“Developer”):</b>	<b>Villa Aurora, LLLP c/o Carrfour Supportive Housing, Inc. 1398 S.W. First Street Miami, Florida 33135 S. Berman</b>
<b>NUMBER OF UNITS:</b>	<b>76</b>
<b>LOCATION (“County”):</b>	<b>Miami-Dade</b>
<b>TYPE (Rental, Homeownership):</b>	<b>Rental</b>
<b>SET ASIDE:</b>	<b>21% @ 30% 79% @ 60% SAIL: 50% Shall be Homeless</b>
<b>ALLOCATED AMOUNT:</b>	<b>\$2,189,896 Housing Credits \$3,000,000 State Apartment Incentive Loan (SAIL)</b>
<b>ADDITIONAL COMMENTS: Rule Waiver/Variance</b>	

#### 1. Background

- a) On May 21, 2013, Florida Housing received a “Petition for Waiver of Rule 67-48.010(3)(b) and (5), Fla. Admin. Code (2006),” (“Petition”), from Villa Aurora, LLLP (“Petitioner”). A copy of the Petition is attached as [Exhibit B](#).
- b) Petitioner requests a waiver of Rule 67-48.010(3)(b), Florida Administrative Code (2006), to allow it the benefit of the rule as amended in 2007, to allow a blended interest rate between 0% and 1% based upon the number of homeless units in the development, and provide Petitioner a variance from the application of Rule 67-48.010(5), Florida Administrative Code (2006), to allow cash flow from the development to pay operating expenses before paying SAIL interest; and that this relief is effective with respect to SAIL interest owed for fiscal year 2011.
- c) On May 23, 2013, the Notice of Variance and Waiver was published in the Florida Administrative Register.
- d) To date, Florida Housing has received no comments concerning the Petition.

#### 2. Present Situation

- a) Villa Aurora is a 76-unit Development serving homeless and/or family households in East Little Havana area of Miami. Recognizing the unique financial circumstances faced by homeless developments, the granting of the request to allow a blended interest rate between 0% and 1% based upon the number of homeless units in the development will serve the purpose of the applicable statute in that it will enhance the financial viability of the Development and thus ensure the continued availability of affordable housing to the homeless and disabled currently being provided by the Development.

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b) The SAIL loan for the Development is in a first lien position with Development Cash Flow applied first to pay first mortgage fees and interest. With the approval of a blended interest rate based on 50% of the units serving homeless, an analysis of the financial statements shows that there is sufficient Development Cash Flow to pay the interest as well as operating expenses.

c) Section 120.542(2), Florida Statutes provides in pertinent part:

Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.

### 3. Recommendation

Staff recommends that the Board grant the Petitioner a variance from the requirement of Rule 67-48.010(3)(b), Florida Administrative Code (2006) to apply a blended interest rate of 0% to 1%, based on the number of homeless units effective with interest owed on the SAIL loan commencing with fiscal year 2011 and deny a variance from the requirement of Rule 67-48.010(5), Florida Administrative Code (2006) to pay development operating expenses prior to paying SAIL interest.

## MULTIFAMILY PROGRAMS

### *Action*

#### IV. MULTIFAMILY PROGRAMS

##### A. Request for Proposals 2013-07 for PHA Revitalization High Priority Affordable Housing Developments Request for Proposals

###### 1. Background

- a) On February 1, 2013, the Board authorized staff to proceed with the competitive solicitation process to offer up to 10 percent of Florida Housing's 2013 annual tax credit allocation for high priority developments.
- b) On April 11, 2013, Florida Housing staff issued RFP 2013-07 to award an estimated \$2,580,000 of Competitive Housing Credits to proposed Developments involving Public Housing Authority (PHA) revitalization (consisting of Rehabilitation or Redevelopment) in medium and small counties. The deadline for receipt of Responses was 2:00 p.m., Eastern Time, Thursday, May 9, 2013.

###### 2. Present Situation

- a) For RFP 2013-07, Florida Housing received 7 Responses from the following Applicants:

<b>Application No.</b>	<b>Applicant</b>	<b>Development Name</b>
2013-100C	Renaissance Preserve IV, LLLP	The Homes of Renaissance Preserve III
2013-101C	Sunrise Heights Partners, LLLP	Sunrise Heights
2013-102C	The Verandas of Punta Gorda, LLLP	The Verandas of Punta Gorda
2013-103C	Janie Poe Associates 3, LLC	Janie's Garden Phase 3
2013-104C	Booker Gardens housing, LP	Booker Gardens Apartments
2013-105C	Laurel Court Associates, LLC	Laurel Court
2013-106C	Cypress Villas, LLC	Cypress Villas

## MULTIFAMILY PROGRAMS

### *Action*

- b) The Review Committee members designated by the Executive Director were Nancy Muller, Policy Director (Chair), Wayne Conner, Director of Multifamily Bonds, Elizabeth Thorp, Multifamily Senior Analyst, Jean Salmonsens, Housing Development Manager, Amy Garmon, Multifamily Manager, Elaine Roberts, Senior Policy Analyst, and Elizabeth O'Neill, Senior Policy Analyst. Each member of the Review Committee independently evaluated and scored their assigned portions of the submitted Applications, consulting with non-committee Corporation staff and legal counsel as necessary and appropriate.
- c) The Review Committee met on the following dates: June 4, 2013 to discuss the proposals and answer Review Committee members' questions and June 11, 2013 to give their scores and submit a recommendation to the Board.

### 3. **Recommendation**

Approve the Review Committee's recommendations as outlined in the enclosed insert.

## MULTIFAMILY PROGRAMS

### *Action*

#### **B. Request for Proposals 2013-08 for Special Needs High Priority Affordable Housing Developments**

##### **1. Background**

- a) On February 1, 2013, the Board authorized staff to proceed with the competitive solicitation process to offer up to 10 percent of Florida Housing's 2013 annual tax credit allocation for high priority developments.
- b) On April 15, 2013, Florida Housing staff issued RFP 2013-08 to award an estimated \$1,720,000 of Competitive Housing Credits, as well as an estimated \$5,750,000 of gap loan funding, to proposed Developments consisting of housing for veterans and their families, and other special needs populations in communities through the state. The deadline for receipt of Responses was 2:00 p.m., Eastern Time, Friday, May 24, 2013.

##### **2. Present Situation**

- a) For RFP 2013-08, Florida Housing received 7 Responses from the following Applicants:

<b>Application No.</b>	<b>Applicant</b>	<b>Development Name</b>
2013-107C	Patriot Village, Ltd.	Patriot Village
2013-108C	Collins Landing, LLC	Collins Landing
2013-109C	Claude Pepper Veterans Housing, LLC	Claude Pepper Villas
2013-110C	Martin Fine Special Needs, LLC	Martin Fine Villas
2013-111C	Duval Park, Ltd.	Duval Park
2013-112C	Ivy Green Veterans Housing, LLC	Heron Estates Veterans Housing
2013-113C	Osprey Apartments, LLC	Liberty Village

## MULTIFAMILY PROGRAMS

### *Action*

- b) The Review Committee members designated by the Executive Director were Wayne Conner, Director of Multifamily Bonds (Chair), Elizabeth Thorp, Multifamily Senior Analyst, Bill Aldinger, Supportive Housing Coordinator, Jean Salmonsens, Housing Development Manager, Amy Garmon, Multifamily Manager, Elaine Roberts, Senior Policy Analyst, Elizabeth O’Neill, Senior Policy Analyst, and Susan Parks, Chief Information Officer. Each member of the Review Committee independently evaluated and scored their assigned portions of the submitted Applications, consulting with non-committee Corporation staff and legal counsel as necessary and appropriate.
- c) The Review Committee met on the following dates: June 10, 2013 to discuss the proposals and answer Review Committee members’ questions and June 19, 2013 to give their scores and submit a recommendation to the Board.

### 3. **Recommendation**

The Review Committee’s recommendation will be provided as a supplemental item.

## MULTIFAMILY PROGRAMS

### *Action*

#### C. **Competitive Housing Credits, SAIL, and HOME-Rental Programs – Rulemaking**

##### 1. **Background/Present Situation**

- a) To solicit comments concerning Rule Chapter 67-48, F.A.C., and proposed changes to the application process, rule development workshops were held on April 26, 2012, June 7, 2012, July 19, 2012, August 14, 2012, September 6, 2012, and October 1, 2012.
- b) As discussed at the December 7, 2012 Board meeting, staff has continued to develop a new process for the allocation of funding through a competitive solicitation process to address the OPPAGA audit recommendations and change the dynamics of the scoring and appeals process. To accomplish this, new Rule Chapter 67-60, F.A.C., Multifamily Competitive Solicitation Funding Process, has been created. This rule chapter will govern the competitive solicitation process up through the award of the funding. Rule Chapter 67-48, F.A.C., Affordable Multifamily Rental Housing (SAIL/HOME/HC) has been revised so that this rule chapter will govern the credit underwriting and program procedures and requirements, but will no longer govern the application process. In addition, when the rule is filed for adoption, the rule chapter will be renamed Competitive Affordable Multifamily Rental Housing Programs (SAIL/HOME/HC).
- c) A rule development workshop for new Rule Chapter 67-60, F.A.C., was held on May 20, 2013. At that workshop, staff also solicited comments concerning the proposed changes to Rule Chapter 67-48, F.A.C. and the 2014 Qualified Allocation Plan (QAP).
- d) Staff would like to proceed with rule development process for Rule Chapters 67-48 and 67-60, F.A.C., and requests the Board's approval of these proposed Rules and the 2014 QAP. A supplement to the Board Package will be provided which contains these documents.
- e) If the Board approves the proposed rules and QAP as presented, the Notices of Proposed Rulemaking (NOPRs) will be published in the June 25, 2013, edition of the Florida Administrative Register. The NOPRs will announce the Rule Hearings which are scheduled for July 16, 2013, in Tallahassee. Following review of the public comments received at the Rule Hearings and the comments received from the Joint Administrative Procedures Committee following its review of the NOPRs, staff will proceed as follows:
  - (1) If modification of the proposed rules is not required, staff will file Rule Chapters 67-48 and 67-60, F.A.C., for adoption.
  - (2) If modification of either of the proposed rules is required, staff will prepare the necessary Notice of Change (NOC) to incorporate all proposed modifications to the proposed rule and, if required, will submit the NOC for Board approval.

## MULTIFAMILY PROGRAMS

### *Action*

#### 2. **Recommendation**

Approve the proposed rules and QAP and authorize staff to file the rules for adoption if a NOC is not required, and, if a NOC is required, authorize the Chair to determine whether a NOC makes material, substantive changes to the rule chapter. If he determines that it does not, staff recommends that the Board approve such NOC without the requirement of another Board meeting. In the alternative, if the Chair determines that any NOC does make material, substantive changes to the rule chapter, staff recommends that a telephonic board meeting be called to obtain Board approval for any required changes, with such changes to be ratified at the next regularly scheduled Board meeting.



## OFFICE OF INSPECTOR GENERAL

### *Action*

#### V. OFFICE OF INSPECTOR GENERAL

##### A. Competitive Funding Lottery Seed Number Selection

###### 1. Background

Various Florida Housing competitive funding programs require applications to be assigned random lottery numbers and that the lottery numbers will be assigned by Florida Housing's Office of Inspector General (OIG) using a random number generator program.

###### 2. Present Situation

Seed numbers must be selected so that the OIG will be able to generate random lottery numbers for competitive funding applications that require a lottery number to be assigned as specified in the solicitation documents.

###### 3. Recommendation

From the listing of numbers provided by the OIG, we recommend the Board Chair select a set of 10 seed numbers to be used for random lottery number generation for competitive funding solicitations until such time that additional seed numbers are needed.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Action*

#### VI. PROFESSIONAL SERVICES SELECTION (PSS)

##### A. Request Approval of Request for Proposals (RFP) Response for Printing Services

###### 1. Background

- a) Effective May 29, 2008, Florida Housing entered into contract with ImageMaster, Inc., to provide services for the printing, binding, shipping, and electronic transmission of preliminary and final official statements.
- b) The initial term of the contract was for a three year period. The contracts expired in May 2011. The contract was renewable for two additional one-year periods.
- c) Effective May 2012 and 2013 the contract was renewed each time for an additional one (1) year period.
- d) The contract with ImageMaster, Inc. expired on May 29, 2013.

###### 2. Present Situation

- a) On April 18, 2013, Florida Housing staff issued RFP 2013-04 for printing services ([Exhibit A](#)). The deadline for receipt of Responses was 2:00 p.m., Monday, May 20, 2013.
- b) One (1) Response was received by the deadline from the following Offeror:  

ImageMaster, LLC
- c) The Review Committee members designated by the Executive Director were Wayne Conner, Director of Multifamily Bonds and Chair of the Committee, Jan Rayboun, Loan Closing Coordinator, and Michelle Connelly, Bond Administration Manager. Each member of the Review Committee individually reviewed the Response prior to convening for the Review Committee meetings. The Review Committee meeting was held at 2:00 p.m., Wednesday, May 22, 2013.
- d) Results of the Review Committee's evaluation of the scored item is provided as [Exhibit B](#).

###### 3. Recommendation

The Review Committee recommends that the Board authorize staff to enter into contract negotiations with ImageMaster, LLC.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Action*

#### **B. Request Approval for Request for Qualification (RFQ) Responses for Environmental Engineering/Consulting Services**

##### **1. Background**

At its March 15, 2013, meeting, the Board of Directors of Florida Housing directed staff to issue an RFQ for environmental engineering/consulting services and authorized the Executive Director to establish a Review Committee to make a recommendation to the Board.

##### **2. Present Situation**

- a) On April 2, 2013, Florida Housing staff issued RFQ 2013-06 for Environmental Engineering/Consulting Services ([Exhibit C](#)). The deadline for receipt of Responses was 2:00 p.m., Monday, May 13, 2013.
- b) Six (6) Responses were received by the deadline from the following Offerors:
  - (1) Arcadis US, Inc.
  - (2) Professional Service Industries, Inc.
  - (3) Terracon
  - (4) Florida Planning Group, Inc.
  - (5) Genesis Group
  - (6) Nova Engineering and Environmental
- c) The Review Committee members designated by the Executive Director were Wayne Conner, Multifamily Bonds and Chair of the Committee; Heather Boyd, Federal Loan Program Manager, and Luke White, Asset Management Senior Analyst. Each member of the Review Committee individually reviewed the Responses prior to convening for the Review Committee meetings. The Review Committee meetings were held at 10:00 a.m., Monday, May 20, 2013, and 10:00 a.m., Wednesday, May 29, 2013.
- d) Results of the Review Committee's evaluation of the scored items and ranking are provided as [Exhibit D](#).

##### **3. Recommendation**

- a) The Review Committee recommends entering into contract negotiations with the top four ranked Offerors which are in order of ranking as follows:
  - (1) Arcadis US, Inc.
  - (2) Genesis Group
  - (3) Professional Services Industries, Inc.
  - (4) Florida Planning Group, Inc.

## **PROFESSIONAL SERVICES SELECTION (PSS)**

### *Action*

- b) The Review Committee further recommends that if contract negotiations fail with any of the top four ranked Offerors; authorize staff to enter into contract negotiations with Terracon, the fifth ranked Offeror.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Action*

#### C. Request for Approval of Request for Qualification (RFQ) Responses for Structuring Agent Services

##### 1. Background

- a) In August 2008 Florida Housing entered into contracts for Structuring Agent services with the following firms:
  - (1) Morgan Keegan and Company
  - (2) RBC Capital Markets
  - (3) Stern Brothers & Co.
  - (4) Raymond James & Co.
- b) In 2012 Morgan Keegan and Raymond James merged into one company.
- c) The initial term of the contracts was for a three year period. The initial contracts expired in August 2011. The contracts were renewable for two additional one-year periods.
- d) At its June 10, 2011, and June 8, 2012, meetings, Florida Housing's Board of Directors (Board) authorized staff to proceed with the contract renewal process for each provider for one (1) year.

##### 2. Present Situation

- a) On April 9, 2013, Florida Housing staff issued RFQ 2013-11 Structuring Agent Services ([Exhibit E](#)). The deadline for receipt of Responses was 2:00 p.m., Thursday, May 16, 2013.
- b) Three (3) Responses were received by the deadline from the following Offerors:
  - (1) George K. Baum & Company
  - (2) RBC Capital Markets, LLC
  - (3) Raymond James
- c) The Review Committee members, designated by the Executive Director, were Wayne Conner, Multifamily Bonds and Chair of the Committee; Jan Rayboun, Loan Closing Coordinator, Kevin Pichard, Assistant Director of Guarantee Program and Brian Williams, Guarantee Program Senior Asset Manager. Each member of the Review Committee individually reviewed the Responses prior to convening for the Review Committee meetings. The Review Committee meetings were held at 10:00 a.m., Monday, May 22, 2013, and 10:00 a.m., Friday, May 31, 2013.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Action*

- d) Results of the Review Committee's evaluation of the scored items and ranking are provided as [Exhibit F](#).

### 3. **Recommendation**

The Review Committee recommends entering into contract negotiations with all three (3) Offerors. These contracts should be for three 3 years with 2, 1 year renewals.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Action*

#### **D. Request Approval of Request for Qualification Responses from Housing Counseling Agencies to Provide Services for the Foreclosure Counseling Program**

##### **1. Background**

- a) On February 1, 2013, the Board approved a staff recommendation to issue a Request for Qualifications (RFQ) for Housing Counseling Agencies (HCA) for the implementation of the Foreclosure Counseling Program (FCP) funded through the national mortgage settlement.
- b) On April 26, 2013 staff presented a list of housing counseling agencies that applied through the RFQ to provide services for the Foreclosure Counseling Program to the Board. Staff recommended that all 49 agencies that applied be approved as having submitted all the appropriate documentation required in the RFQ or approved pending submission of updated/omitted documentation from their original responses.
- c) The Board approved the list based on staff recommendation. However, there were two HCAs that responded to the RFQ and were approved by the staff review committee at the meeting held April 1, 2013, that were inadvertently omitted from the list provided for approval by the Board at the April meeting. These agencies are aware that they were recommended for approval and that formal approval is being requested by the Board at this meeting. Those two agencies are:
  - (1) Ocala Housing Authority
  - (2) Consolidated Credit Solutions, Inc. (as successor in interest to Consolidated Credit Counseling Services, Inc.).

##### **2. Present Situation**

- a) The RFQ allowed for HCAs to respond beyond the original submission date so that Florida Housing could maximize the number of qualified agencies to provide adequate foreclosure counseling coverage across the state. Three additional HCAs have applied to participate in the FCP. One response failed to meet threshold and was therefore not reviewed by the review committee.
- b) Two proposals were reviewed and are recommended for approval pending the submission of all required documentation by the RFQ review committee on May 31, 2013. They are:
  - (1) Community Homeownership Center, Inc.
  - (2) Urban League of Broward County

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Action*

#### 3. **Recommendation**

- a) Ratify the approval of the Ocala Housing Authority and Consolidated Credit Solutions, Inc. as recommended for approval by the review committee meeting on April 1, 2013; and
- b) Approve the two HCAs that were recommended for approval by the RFQ review committee on May 31, 2013 pending submission of all required documentation.