

**REQUEST FOR PROPOSALS 2009-01**

**NINE PERCENT LOW-INCOME HOUSING TAX CREDITS FOR STATE  
APARTMENT INCENTIVE LOAN (SAIL) PROGRAM AND RENTAL  
RECOVERY LOAN PROGRAM (RRLP) APPLICANTS WHOSE FUNDS WERE  
DE-OBLIGATED**

**for**

**FLORIDA HOUSING FINANCE CORPORATION**

**MAY 15, 2009**

## **SECTION ONE INTRODUCTION**

This Request for Proposal is open to Developments that had their State Apartment Incentive Loan (SAIL) or Rental Recovery Loan (RRLP) de-obligated under the provisions of 67ER09-3, F.A.C.

Florida Housing is soliciting sealed proposals from qualified Applicants that commit to construct housing in accordance with the terms and conditions of this RFP, applicable laws, rules, and regulations, and Florida Housing’s generally applicable construction and financial standards.

## **SECTION TWO DEFINITIONS**

For purposes of this document, the terms reflected below shall be defined as set out below.

Unless otherwise defined below, the definitions included in Rule 67-48.002, F.A.C. apply.

“Awarded”	Receipt of positive recommendation of the Credit Underwriter and Board approval of the credit underwriting report.
“Committee”	The review committee composed only of employees of Florida Housing that is established pursuant to Rule 67-49.007, F.A.C.
“Days”	Calendar days, unless otherwise specified.
“Guarantee Fund Development”	A Development funded in the Florida Affordable Housing Guarantee Program administered by Florida Housing pursuant to Section 420.5092, Fla. Stat., and Rule Chapter 67-39, F.A.C.
“Florida Housing”	Florida Housing Finance Corporation, a public corporation and public body corporate and politic created by Section 420.504, Fla. Stat.

“Interested Party”	A person or entity that requests a copy of this Request for Proposals from Florida Housing.
“Original Application”	The Application originally submitted by the Applicant and awarded SAIL or RRLP funding, that was subsequently de-obligated pursuant to 67ER09-3, F.A.C.
“Proposal”	A written submission by an Applicant that responds to this Request for Proposals.
“Proposed Development”	The Development proposed within the Applicant’s Original Application and this RFP.
“RFP”	This Request for Proposals, including all exhibits referenced in this document and all other documents incorporated by reference.
“Threshold Item”	A mandatory requirement of the RFP.
“Website”	The Florida Housing Finance Corporation website, the home address of which is <a href="http://www.floridahousing.org">www.floridahousing.org</a> .

**SECTION THREE  
PROCEDURES AND PROVISIONS**

A. An Applicant must submit one (1) original and four (4) copies of the Proposal in a sealed envelope marked “RFP 2009-01” and a non-refundable Proposal fee in the amount of \$500. Each envelope or package containing Proposals must clearly state the name of the Applicant. The Proposal that is the original must clearly indicate “Original” on that Proposal. Florida Housing shall not accept a faxed or e-mailed Proposal. Florida Housing must receive any Proposal on or before 2:00 p.m., Eastern Time, on Friday, May 29, 2009. Proposals shall be opened at that time. Proposals must be addressed to:

Sherry Green  
Contracts Administrator  
Florida Housing Finance Corporation  
227 N. Bronough Street, Suite 5000  
Tallahassee, FL 32301  
850-488-4197  
[Sherry.green@floridahousing.org](mailto:Sherry.green@floridahousing.org)

B. This RFP does not commit Florida Housing to award any funding to any Applicant or to pay any costs incurred in the preparation or mailing of a Proposal.

- C. . Florida Housing reserves the right to:
1. Waive minor deficiencies and informalities;
  2. Accept or reject any or all Proposals received as a result of this RFP;
  3. Obtain information concerning any or all Applicants from any source;
  4. To select for award of Proposal based on evaluation standards described in this RFP.

D. Any person who wishes to protest the specifications of this RFP must file a protest in compliance with Section 120.57(3), Fla. Stat., and Rule Chapter 28-110, F.A.C.. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

E. Florida Housing expects to select one or more Applicants to award the funding contemplated by this RFP. Any such Applicants will be selected through Florida Housing's review of each Proposal, considering the factors identified in this RFP.

#### **Section Four OBJECTIVES AND SCOPE OF SERVICES**

By submitting this Proposal, each Applicant agrees to the following terms and conditions.

- A. The Applicant commits to the following:
1. To set-aside the units in the Proposed Development for a period of 50 years.
  2. To set aside at least 10 percent of the total units in the Proposed Development for ELI Households. The 10% ELI commitment must be entered on the Total Set-Aside Breakdown Chart described at Section Six of this RFP.
- B. The Applicant affirms that the following information and commitments made by the Applicant in its Original Application are still in effect:
1. The Developer entity
  2. The Applicant entity
  3. The Development category

4. The Demographic commitment
5. The Development site

C. If Awarded an allocation of Housing Credits, the Applicant understands and agrees that:

1. The Applicant will not be eligible to apply for any funding available through the American Recovery and Reinvestment Act of 2009 that is administered by Florida Housing.
2. Prior to execution of the limited partnership agreement or limited liability company operating agreement between the Applicant and the limited partners/members, the Applicant must receive written approval from the Corporation or its Credit Underwriter that the Housing Credit Syndicator is in good standing with the Corporation. Proceeding with execution of a partnership agreement or operating agreement with a Housing Credit Syndicator that is not in good standing shall result in withdrawal of the Housing Credit Allocation.
3. As part of its acceptance to enter credit underwriting, the Applicant shall return any previously awarded funding, as follows:
  - a. Any MMRB/SAIL Applicant that had its SAIL funding fully de-obligated agrees to return its MMRB funding award;
  - b. Any MMRB/SAIL Applicant or SAIL Applicant that only had a portion of its SAIL funding de-obligated agrees to return its MMRB and remaining SAIL funding, if any, as well as any Supplemental funding;
  - c. Any RRLP Applicant that had its RRLP funding de-obligated agrees to return its Florida Housing MMRB funding award.

D. Funding Eligibility:

1. This Request for Proposal is open to Proposed Developments that had their State Apartment Incentive Loan (SAIL) or Rental Recovery Loan (RRLP) de-obligated under the provisions of 67ER09-3, F.A.C., subject to the following provisions:
  - (a) Proposed Developments where construction was complete as of April 24, 2009, are not eligible for funding.

- (b) Proposed Developments located within a 2009 Location A Area may apply, with one exception: the Proposed Development is ineligible for funding if a Guarantee Fund Development with the same Demographic Category as the Proposed Development is located within that county.

**2009 Location A Areas**

<b>County</b>	<b>Demographic Category</b>	<b>Number of Existing Guarantee Fund Developments / Demographic Category</b>	<b>Location Description</b>
Brevard	Elderly or Family	None	Entire County
Charlotte	Family	1 Family	From the intersection of Loveland Blvd. and county line, follow the county line west to Charlotte Harbor. Follow Charlotte Harbor north to Peace River. Follow Peace River northeast to I-75. Follow I-75 north to Nova Lane. Follow Nova Lane west to Minneola Avenue. Follow Minneola Avenue north to Suncoast Blvd. Follow Suncoast Blvd. west to SR 769/Kings Hwy. Follow SR 769/Kings Hwy. north to Midway Blvd. Follow Midway Blvd. west to Loveland Blvd. Follow Loveland Blvd. north to county line.
Collier	Family	4 Family	Entire County
Duval	Family	4 Family	Starting at the southwest corner of the county limits, follow the county line north to I-10. Follow I-10 east to I-295. Follow I-295 north to I-95. Follow I-95 north to the county line. Follow the county line around the remaining portion of the county to the southwest corner of the county limits.
Gadsden	Family	None	Entire County
Hardee	Family	None	Entire County
Hernando	Family	None	Starting at the northern intersection of US98 and the county line, follow US 98 south to the Suncoast Parkway/SR 589. Follow the Suncoast Parkway/SR 589 south to Springhill Drive. Follow Springhill Drive west to US 19/SR55/Commercial Way. Follow US 19/SR 55/Commercial Way north to CR 595/Osowaw Blvd. Follow CR 595/Osowaw Blvd southwest to Aloha Lane. Follow Aloha Lane west to the Gulf of Mexico. Follow the Gulf of Mexico south to the county line. Follow the county line around the remaining portion of the county to the northern intersection of US 98 and the county line.
Lake	Family	3 Family	Starting at the Intersection of Lakeshore Drive and Anderson Hill Road, follow Anderson Hill Road east to US 27. Follow US 27 southeast to North Bradshaw Road. Follow N. Bradshaw Road southeast to 5 Mile Road. Follow 5 Mile Road southeast to Shell Pond Road. Follow Shell Pond Road East to the county line. Follow the county line south to Commonwealth Avenue N./SR 33. Follow SR 33 north to CR 561. Follow CR 561 north to Lakeshore Drive. Follow Lakeshore Drive northeast to the intersection of Anderson Hill Road.  and  Beginning at northwestern corner of county, follow county border south to CR 470/CR48. Follow CR 470/CR 48 east to SR 19. Follow SR 19 north to CR 448. Follow CR 448 east to county line. Follow county line north around the remaining portion of the county to the northwestern corner of county.

County	Demographic Category	Number of Existing Guarantee Fund Developments / Demographic Category	Location Description
Orange	Family	9 Family	Beginning at the intersection of the county line and W. Maitland Blvd, follow W. Maitland Blvd southwest to US 441/Orange Blossom Trail. Follow US 441/Orange Blossom Trail southeast to Beggs Road. Follow Beggs Road west to N. Pine Hills Road. Follow N. Pine Hills Road south to SR 438/Silver Star Road. Follow SR 438/Silver Star Road east to US 17/US 92/US 441/N Orange Blossom Trail. Follow US 17/US 92/US 441/N Orange Blossom Trail south to SR 438/W Princeton Street. Follow SR 438/W Princeton Street east to SR 527/N Orange Avenue/ Follow SR 527/N Orange Avenue north to SR 424A/SR 426/Fairbanks Avenue/Osceola Avenue/Brewer Avenue/Aloma Avenue. Follow SR 424A/SR 426/Fairbanks Avenue/Osceola Avenue/Brewer Avenue/Aloma Avenue east to Semoran Blvd/SR 436. Follow Semoran Blvd/SR 436 north to the county line. Follow the county line northwest to Orange Blossom Trail/US 441. Follow Orange Blossom Trail/US 441 northwest to Piedmont Wekiwa Road/Sandy Lane Drive/N Hiawasse Road/CR 435.
Pasco	Family	1 Elderly 1 Family	Starting at Northwest corner of county, follow county line east to I-75. Follow I-75 south to SR 52. Follow SR52 east to SR 579A/Prospect Road. Follow SR 579A/Prospect Road south to CR 579/Handcart Road/Morris Bridge Road. Follow CR 579/Handcart Road/Morris Bridge Road south to county line. Follow the county line west around the remaining portion of the county to the northwest corner of the county limits.

2. If selected for funding, the Applicant must commit to (i) provide the Required Features and Amenities and (ii) provide a sufficient number of the Optional Features and Amenities to receive at least the required minimum points in Items 2.b.(1), 2.b.(2) and 2.b.(3) below. Such commitment must be made at the time the Applicant accepts the invitation to enter credit underwriting. The Required and Optional Features and Amenities are as follows:

a. Required Features and Amenities

(1) ALL Developments must provide the following:

- Air conditioning in all units (window units are not allowed; however, through-wall units are permissible for rehabilitation);
- Window treatments for each window and glass door inside each unit;
- Termite prevention and pest control throughout the entire affordability period;
- Peephole on all exterior doors;
- Exterior lighting in open and common areas.
- Cable or satellite TV hook-up in all units;
- Full-size range, oven and refrigerator in all units;

- At least two full bathrooms in all 3 bedroom or larger new construction units;
- Bathtub with shower in at least one bathroom in at least 90% of the new construction non-Elderly units;

(2) ALL Applicants must commit to provide at least 10 of the following Green Building options. The Applicant will be required to commit to the specific Green Building options when it accepts invitation to credit underwriting.

- Programmable thermostats in each unit
- Energy Star rated reversible ceiling fans in all bedrooms and living areas
- Showerheads that use less than 2.5 gallons of water per minute
- Faucets that use 2 gallons of water per minute or less in the kitchen and all bathrooms
- Toilets that have dual flush options which include 1.6 gallons of water or less
- Energy Star qualified lighting in all open and common areas
- Motion detectors on all outside lighting that is attached to the units
- Low VOC paint (less than 50 grams per gallon) in all units and common areas
- Reduced Heat-Island Effect paving (use light colored or porous paving materials)
- Energy Star rating for all refrigerators, dishwashers and washing machines that are provided by the Applicant
- Energy Star rating for all windows in each unit
- Carpet and Rug Institute Green Label certified carpet and pad for all carpeting provided
- Florida Yards and Neighborhood certification on all landscaping
- Install daylight sensors or timers on all outdoor lighting

(3) Additionally, ALL Elderly Developments must provide the following features:

<b>FEATURE</b>	Required percentages of the total units
Roll-In Showers 5% of the overall requirement for roll-in showers may be met with walk-in type shower stalls with permanently affixed seat which meet or exceed the Universal Federal Accessibility Standards (UFAS).	15%
Thermostat placed at 48" maximum height	100%
Tight-napped Berber-type carpet or non-skid/non-glossy tile in all living areas or a combination of both	100%
36" entrances on all exterior doors	100%
All wall electrical outlets placed between 18" and 48" above the floor	100%
Scald control valves on all bathtub and shower faucets	100%
Peephole at 4' 10" on all exterior doors	100%
Toggle type switches for each light and each fan throughout the unit	100%
Adjustable shelving in master bedroom closets (style of shelving must be re-adjustable by resident)	100%
Lever-action handles on all doors in units and public areas	100%
Horizontal grab bars in place around each tub and/or shower, the installation of which meets or exceeds the Universal Federal Accessibility Standards (UFAS 4.34.5)	100%
Horizontal grab bars in place around each toilet, the installation of which meets or exceeds the Universal Federal Accessibility Standards (UFAS 4.34.5)	100%
Roll-out shelving or drawers in all bottom bathroom vanity cabinets	100%
Roll-out shelving or drawers in at least one bottom kitchen cabinet	100%
A minimum of one elevator per residential building must be provided for Developments that consist of more than one story if any of the Elderly set-aside units will be located on a floor higher than the first floor	N/A

**b. Optional Features and Amenities**

- (1) ALL Developments must commit to provide a sufficient number of the following Optional Features and Amenities to achieve a minimum of 9 points:

- 30 Year expected life roofing on all buildings (2 points)

- Gated community with “carded” entry or security guard, or if 2 or more stories, “carded” secure entry to building (2 points)
- Ceramic tile bathroom floors in all units (2 points)
- Microwave oven in each unit (1 point)
- Marble window sills in all units (1 point)
- Steel exterior entry door frames for all units (1 point)
- At least 1½ bathrooms (one full bath and one with at least a toilet and sink) in all 2-bedroom new construction units (2 points) Note: In order to be eligible to select this feature, the Development must have at least one 2-bedroom unit.
- Double compartment kitchen sink in all units (1 point)
- Pantry in kitchen area in all units- must be no less than 20 cubic feet of storage space. Pantry cannot be just an under- or over-the-counter cabinet. (2 points)
- Dishwasher in all new construction units (1 point)
- Garbage disposal in all new construction units (1 point)

(2) ALL Developments must commit to provide a sufficient number of the following Optional Features and Amenities to achieve a minimum of 12 points:

- Emergency call service in all units (3 points)
- Exercise room with appropriate equipment (1 point)
- Community center or clubhouse (3 points)
- Swimming pool (2 points)
- Playground/tot lot, accessible to children with disabilities (must be sized in proportion to Development’s size and expected resident population with age-appropriate equipment) (2 points)
- Car care area (for car cleaning/washing) (1 point)
- Two or more parking spaces per total number of units (1 point)
- Picnic area with hard cover permanent roof of a design compatible with the Development, open on all sides, containing at least three permanent picnic tables with benches and an adjoining permanent outdoor grill (1 point)

- Outside recreation facility (such as shuffleboard court, putting green, tennis court, full basketball court, volleyball court, etc.). Facility must be identified (2 points)
- Library consisting of a minimum of 100 books and 5 current magazine subscriptions (1 point)
- Computer lab on-site with minimum one computer per 50 units, with basic word processing, spreadsheets and assorted educational and entertainment software programs and at least one printer (1 point)
- Each unit wired for high speed internet (1 point)

Applicant may select only one of the following two items:

- Laundry hook-ups and space for full-size washer and dryer inside each unit (1 point)
- Washer and dryer in a dedicated space with hook-ups within each unit, provided at no charge to the resident during the term of any lease (3 points)

Applicant may select only one of the following two items:

- Laundry facilities with full-size washers and dryers available in at least one common area on site (1 point)
- Laundry facilities with full-size washers and dryers available in at least one common area on every floor if Development consists of more than one story (2 points)

Applicants with a Development Type of Single Family Rental, Duplexes, or Quadraplexes may select any of the following:

- Garage for each unit which consists of a permanent, fully enclosable structure designed to accommodate one or more automobiles, either attached to the unit or detached but located on the same property, provided at no charge to the resident (3 points)
- Carport for each unit which consists of a permanent covered and paved area, attached to the unit and designed to accommodate one or more

automobiles, provided at no charge to the resident  
(2 points)

- Fenced back yard for each unit which consists of a portion of the property behind each unit that is enclosed by a wood, privacy or chain link fence of a minimum height of 48". Direct access to the fenced back yard for each unit must be afforded solely by a door from that unit and no other unit. (2 points)

- (3) ALL Developments must commit to provide a sufficient number of the following Energy Conservation Features to achieve a minimum of 9 points:
- (a) Heating – Applicant may select only one of the following three items:
    - Heat pump with a minimum HSPF of 8.2 instead of electric resistance (1 point)
    - Heat pump with a minimum HSPF of 8.5 instead of electric resistance (2 points)
    - Gas hydronic combo unit HVAC (2 points)
  
  - (b) Cooling – Applicant may select only one of the following three items:
    - Air conditioning with a minimum SEER rating of 14 (1 point)
    - Air conditioning with a minimum SEER rating of 15 (2 points)
    - Air conditioning with a SEER rating of 16 or better (3 points)
  
  - (c) Water Heating – Applicant may select only one of the following three items:
    - Gas water heater with energy factor of .61 or better (1 point)
    - Electric water heater with energy factor of .93 or better (1 point)
    - Tankless gas water heater (2 points)
  
  - (d) Insulation –  
  
Wall insulation ratings are determined by the insulation material only, not the wall

assembly materials. For mixed-type construction, the Applicant may only select the insulation option for the construction type that comprises 51 percent or more of the proposed Development.

(i) Frame built construction (Applicant may select only one of the following two items):

- Wall insulation of a minimum of R-13 (1 point)
- Wall insulation of R-15 or better (2 points)

OR

(ii) Masonry/concrete block construction (Applicant may select only one of the following two items):

- Wall insulation of a minimum of R-7 (1 point)
- Wall insulation of R-10 or better (2 points)

In addition, Applicant may select only one of the following two items:

- Attic insulation of R-30 or better (1 point)
- Insulation of R-19 with radiant barrier on top floor only (1 point)

(e) Windows (excluding windows on doors and sidelights) – Applicant may select only one of the following five items:

- Solar screens on all west and east facing windows (1 point)
- Double-pane glass on all windows (2 points)
- All windows double-pane with minimum solar heat gain coefficient of  $\leq .50$  and minimum of  $.75$  U Value (2 points)
- All windows single-pane with minimum solar heat gain coefficient of  $.58$  or better (2 points)
- All windows single-pane with shading

coefficient of .67 or better (2 points)

(f) Energy Star Appliances:

- Energy Star certified refrigerator and dishwasher in each unit (1 point)

(g) Other:

- Ceiling fans in all bedrooms and living area in each unit (2 points)

3. Resident Programs

a. ALL Family Developments must commit to provide a sufficient number of the following Qualified Resident Programs to achieve a minimum of 6 points:

- (1) Welfare to Work or Self-Sufficiency Type Programs. The Applicant commits to actively seek residents who are participating in or who have successfully completed the training provided by these types of programs. To receive point, Applicant must identify the program and the contact person. (1 point)
- (2) After School Program for Children - This program requires the Applicant or its Management Agent to provide supervised, structured, age-appropriate activities for children during the after school hours, Monday through Friday. Activities must be on-site and at no charge to the residents. (3 points)
- (3) First Time Homebuyer Seminars - Applicant or its Management Agent must arrange for and provide, at no cost to the resident, in conjunction with local realtors or lending institutions, semiannual on-site seminars for residents interested in becoming homeowners. Electronic media, if used, must be used in conjunction with live instruction. (1 point)
- (4) Literacy Training - Applicant or its Management Agent must make available, at no cost to the resident, literacy tutor(s) who will provide weekly literacy lessons to residents in private space on-site. Electronic media, if used, must be used in conjunction with live instruction. (2 points)

- (5) Job Training - Applicant or its Management Agent must provide, at no cost to the resident, regularly scheduled classes in keyboarding, computer literacy, secretarial skills or other useful job skills, which will be provided at least once each quarter. If the training is not provided on-site, transportation at no cost to the resident must be provided. Electronic media, if used, must be used in conjunction with live instruction. (2 points)
- b. ALL Elderly Developments must commit to provide a sufficient number of the following Qualified Resident Programs to achieve a minimum of 6 points:
- (1) Daily Activities - Applicant or its Management Agent must provide on-site supervised, structured activities, at no cost to the resident, at least five days per week. (3 points)
  - (2) Assistance with Light Housekeeping, Grocery Shopping and/or Laundry - The Applicant or its Management Agent will provide residents with a list of qualified service providers for (a) light housekeeping, and/or (b) grocery shopping, and/or (c) laundry and will coordinate, at no cost to the resident, the scheduling of services. (1 point)
  - (3) Resident Assurance Check-In Program – Applicant commits to provide and use an established system for checking in with each resident on a pre-determined basis not less than once per day, at no cost to the resident. Residents may opt out of this program with a written certification that they choose not to participate. (2 points)
  - (4) Manager On-Call 24 Hours Per Day – Applicant must provide management personnel on the Development’s premises at all times who will be available and accessible to the residents 24 hours per day, seven days per week, at no cost to the resident. (2 points)
  - (5) Private Transportation – The Applicant or its Management Agent must make available a safe and serviceable vehicle that can transport residents to off-site locations for such things as medical

appointments, public service facilities, and/or educational or social activities, at no cost to the resident. A nearby bus stop or access to programs such as “Dial-A-Ride” will not be acceptable for purposes of this program. (3 points)

- (6) Literacy Training - Applicant or its Management Agent must make available, at no cost to the resident, literacy tutor(s) who will provide weekly literacy lessons to residents in private space on-site. Electronic media, if used, must be used in conjunction with live instruction. (2 points)
- (7) Computer Training – The Applicant or its Management Agent shall make available computer and internet training classes (basic and/or advanced level depending on the needs and requests of the residents). The training classes must be provided at least once a week, at no cost to the resident, in a dedicated space on site. Electronic media, if used, must be used in conjunction with live instruction. (2 points)

c. ALL Developments must commit to provide a sufficient number of the following Qualified Resident Programs to achieve a minimum of 8 points:

- (1) Health Care – At least quarterly visits by health care professionals such as nurses, doctors, or other licensed care providers. At a minimum, the following services must be provided: health screening, flu shots, vision and hearing tests. Regularly scheduled is defined as not less often than once each quarter. On-site space must be provided. Service must be provided at no cost to the residents, with the exception that the residents may be charged for medications. (2 points)
- (2) Health and Nutrition Classes – At least 8 hours per year, provided on site at no cost to the residents. Electronic media, if used, must be used in conjunction with live instruction. (2 points)
- (3) Mentoring – Establish a partnership with a primary or secondary education institution to encourage mentoring, tutoring and/or financial support that

will benefit the residents of the proposed affordable housing community. This service must be provided at no cost to the resident. Electronic media, if used, must be used in conjunction with live instruction. (2 points)

- (4) Resident Activities - These specified activities are planned, arranged, provided and paid for by the Applicant or its Management Agent. These activities must be an integral part of the management plan. The Applicant must develop and execute a comprehensive plan of varied activities that brings the residents together and encourages community pride. The goal here is to foster a sense of community by bringing residents together on a regularly scheduled basis by providing activities such as holiday and special occasion parties, community picnics, newsletters, children's special functions, etc. (2 points)
- (5) Financial Counseling - This service must be provided by the Applicant or its Management Agent, at no cost to the resident, and must include the following components: must be regularly scheduled at least once each quarter; must include tax preparation assistance by qualified professionals; must include educational workshops on such topics as "Learning to Budget", "Handling Personal Finances", "Predatory Lending", or "Comparison Shopping for the Consumer". Electronic media, if used, must be used in conjunction with live instruction. (2 points)
- (6) English as a Second Language – The Applicant or its Management Agent must make available, at no cost to the resident, literacy tutor(s) who will provide weekly English lessons to residents in private space on-site. Electronic media, if used, must be used in conjunction with live instruction. (2 points)
- (7) Resident Assistance Referral Program - The Applicant or its Management Agent will make available to residents information about services such as crisis intervention, individual and family needs assessment, problem solving and planning,

appropriate information and referral to community resources and services based on need, monitoring of ongoing ability to retain self sufficiency, and advocacy to assist clients in securing needed resources. This service must be provided at no cost to the resident. Electronic media, if used, must be used in conjunction with live instruction. (2 points)

- (8) Swimming Lessons – The Applicant or its Management Agent must provide on-site swimming lessons for children or adults, at no cost to the resident, at least twice each year. (2 points)
- (9) Life Safety Training – The Applicant or its Management Agent must provide courses such as fire safety, first aid (including CPR), etc., on-site, at least twice each year, at no cost to the resident. Electronic media, if used, must be used in conjunction with live instruction. (2 points)

Fees:

1. Proposal Fee:

Applicants shall submit to the Corporation by the RFP Deadline a non-refundable Proposal Fee of \$500.

2. Administrative Fee:

Each Applicant shall submit to the Corporation a non-refundable administrative fee, which will be based on 8 percent of the annual Housing Credit Allocation for a for-profit Applicant and 5 percent of the annual Housing Credit Allocation for a Non-Profit Applicant. The amount of the administrative fee and the due date will be stated in the Carryover Allocation Agreement.

3. Compliance Monitoring Fee:

- a. Pre-final allocation compliance monitoring fee of \$1,723 + \$9.00 per set-aside unit, to be collected as stated in the Carryover Allocation Agreement; and
- b. Annual Compliance monitoring fee of \$1,723 + \$9.00 per set-aside unit, for the full Housing Credit Extended Use Period collected at final allocation based on a quarterly payment stream discounted at a rate of 2 percent.

If during any year subsequent to the Final Housing Credit Allocation, there is a fee increase based on the Consumer Price Index, as stipulated in the current contract for services between Florida Housing Finance Corporation and the Compliance Monitor(s), the additional fee will be billed directly to the Development.

4. Additional Credit Underwriting Fee

Prior to the performance of the analysis by the Credit Underwriter, an additional credit underwriting fee may be charged by the Credit Underwriter. The minimum additional fee will be \$1,500 and the total additional fee will not exceed \$10,509. The exact amount will be determined by the Credit Underwriter based on previous work performed by the Credit Underwriter with regard to the Original Application and must be paid by the Applicant within seven (7) Days of receipt of the invoice from the Credit Underwriter.

**SECTION FIVE  
CERTIFICATION**

By inclusion and execution of Exhibit A each Applicant certifies that:

A. Any material submitted in response to this RFP is a public record pursuant to Chapter 119, Fla. Stat., and subject to examination upon request, after Florida Housing provides a notice of decision pursuant to Section 120.57(3), Fla. Stat., or within 10 Days after the Proposal is opened, whichever is earlier.

B. Funded Developments will be subject to the credit underwriting and Housing Credit Program requirements of Rule Chapter 67-48, F.A.C., as well as the following requirements. If any provisions of this RFP conflict with the provisions of Rule Chapter 67-48, F.A.C., the provisions in this RFP will take precedence.

1. To ensure that scarce resources are not allocated to areas of the state that do not have the greatest need, the HC Allocation awarded pursuant to this RFP shall be rescinded and returned to Florida Housing if the submarket of the Proposed Development does not have an average occupancy rate of 92 percent or greater, as determined by a market study ordered by the Credit Underwriter, and analyzed by the Credit Underwriter and Florida Housing Staff, as well as approved by the Board.
2. The Credit Underwriter must review and determine whether there will be a negative impact to Guarantee Fund Developments within the primary market area or five (5) miles of the proposed Development, whichever is greater.

3. The information required by the Credit Underwriter to engage a market study and appraisal must be provided to the Credit Underwriter within 30 Days of the invitation to enter credit underwriting. All other items required for the Credit Underwriter's HC allocation recommendation and credit underwriting report must be provided to the Credit Underwriter within 60 Days of the date of the invitation to enter credit underwriting.
4. During the credit underwriting review, the location of the Proposed Development within a 2009 DDA or QCT will be verified.
5. Florida Housing will require that the credit underwriting report be approved by the Board on or before October 23, 2009. If this deadline is not met, the HC Allocation awarded pursuant to this RFP will be rescinded and returned to Florida Housing.
6. Florida Housing will require that the credit underwriting report be approved by the Board prior to issuance of the Carryover Allocation Agreement. Any necessary adjustments to the HC request amount will be reflected in the credit underwriting report submitted to the Board for approval.
7. Florida Housing will require the Applicant to certify that it owns the land on which the Proposed Development is to be built or that the Applicant is the Lessee under a lease of the land on which the Proposed Development is to be built and which has a term that does not expire prior to the expiration of the Extended Use Period. Such certification must be demonstrated on or before six (6) months after the executed date of the Carryover Allocation Agreement, with a possibility of a three (3) month extension conditioned upon Florida Housing's written approval of such extension and receipt of a \$5,000 extension fee.
8. Florida Housing will require the Applicant to certify that it has incurred at least 10 percent of the reasonably expected basis (10% test) of the Proposed Development. Such certification must be demonstrated on or before six (6) months after the executed date of the Carryover Allocation Agreement, with a possibility of a three (3) month extension conditioned upon Florida Housing's written approval of such extension and receipt of a \$5,000 extension fee.
9. Florida Housing will require the Applicant to acknowledge and agree to commence construction on or before seven (7) months after the executed date of the Carryover Allocation Agreement, with a possibility of a three (3) month extension conditioned upon Florida Housing's written approval of such extension and receipt

of a \$5,000 extension fee. As proof thereof, the Applicant shall deliver to Florida Housing a copy of the recorded Notice of Commencement from the Official Records of the applicable jurisdiction(s) relative to the Proposed Development.

10. Florida Housing will require the Applicant to acknowledge and agree to close its tax credit partnership on or before seven (7) months after the executed date of the Carryover Allocation Agreement, with a possibility of a three (3) month extension conditioned upon Florida Housing’s written approval of such extension and receipt of a \$5,000 extension fee. As proof thereof, the Applicant shall deliver to Florida Housing a copy of its closed and executed partnership agreement.

**SECTION SIX  
INFORMATION TO BE PROVIDED IN PROPOSAL**

A. The Applicant must provide a properly completed and executed Exhibit A to RFP 2009-01 which includes the following information:

1. Name of Proposed Development and Application No. of the Original Application.
2. HC Request Amount, based on the following:

<b>Application’s County Group</b>	<b>HC Request Amount If Development is not located in a DDA or QCT</b>	<b>HC Request Amount If Development is located in a DDA or QCT</b>
LL and LM Counties (Miami-Dade and Broward)	\$1,970,000	\$2,561,000
LS Counties (Hillsborough and Orange)	\$1,625,000	\$2,110,000
LVS Counties (Duval)	\$1,276,000	\$1,660,000
ML Counties (Brevard, Collier, Lake, Pasco and Seminole)	\$1,155,000	\$1,510,000
MS Counties (Charlotte and Hernando)	\$980,000	\$1,275,000
Small Counties (Flagler, Gadsden and Hardee)	\$825,000	\$1,070,000

3. Total Set-Aside Breakdown Chart

Applicants must indicate the percentage of residential units, stated in whole numbers, to be set aside at each selected AMI level including the required minimum 10 percent for ELI Households (based on the following 2009 ELI County Chart). Applicants with a Proposed Development located in a 2009 Location A Area must commit to set aside at least 90 percent of the Development’s residential units at 60 percent AMI or less. Applicants with a Proposed Development that is not located in a 2009 Location A Area must commit to set aside at least 70 percent of the Development’s residential units at 60 percent AMI or less.

2009 ELI County Chart	
County	ELI Set-Aside AMI level
Brevard	33%
Broward	28%
Charlotte	40%
Collier	28%
Duval	30%
Flagler	35%
Gadsden	33%
Hardee	45%
Hernando	35%
Hillsborough	35%
Lake	33%
Miami-Dade	33%
Orange	33%
Pasco	35%
Seminole	33%

4. Total number of units.

Applicants will be allowed to change the number of units as shown in their Original Application to size the transaction within the following parameters:

- a. The minimum amount of the new unit count shall be the lower of:
  - (1) the maximum number of units permitted below, or
  - (2) the number of units indicated in the Original Application, or
  - (3) the number resulting from taking the maximum HC Allocation permitted by FHFC for the county in which the Proposed Development is located, exclusive of any DDA or QCT bonus, multiplying it by 7.5, and then taking the resulting product and

dividing it by \$114,021.23 (the 2008 Universal Cycle A/B leveraging cut-off), and rounding up to the nearest whole number.

(a) In addition, if the Proposed Development meets all of the following requirements, the resulting quotient prior to rounding will be multiplied by 0.63:

- the Proposed Development is located in a Large County (LL, LM, LS or VLS), and
- the Applicant selected the High-Rise Development Type, and
- the Applicant selected the New Construction Development Category, and
- the Applicant selected and qualified as an Urban In-Fill Development in its Original Application.

(b) If the Proposed Development meets all of the following requirements, the resulting quotient prior to rounding will be multiplied by 0.785:

- the Proposed Development is located in a Large County (LL, LM, LS or VLS), and
- the Applicant selected the Mid-Rise with Elevator (a building comprised of 5 or 6 stories) Development Type and at least 90 percent of the total units are in these Mid-Rise building(s), and
- the Applicant selected the New Construction Development Category, and
- the Applicant selected and qualified as an Urban In-Fill Development in its Original Application.

b. There is a maximum new unit count for Proposed Developments with the Elderly Demographic Category:

- (1) Proposed Developments located in Broward County or Miami-Dade County are limited to a total of 200 units; and
- (2) Proposed Developments located in all other counties are limited to a total of 160 units.

5. Number of buildings with dwelling units (the number stated in the RFP may be different from that stated in the Applicant's Original Application).
6. Development Type\* (the type stated in the RFP may be different from that stated in the Applicant's Original Application).
  - \* Garden Apartments, Townhouses, High Rise (a building comprised of 7 or more stories), Single Family Rental, Duplexes, Quadraplexes, Mid-Rise with Elevator (a building comprised of 4 stories), Mid-Rise with Elevator (a building comprised of 5 or 6 stories), Single Room Occupancy (SRO), or Other (specify the type)
7. Unit Mix (the mix stated in the RFP may be different from that stated in the Applicant's Original Application). All units in the Proposed Development must be listed, including all manager/employee units and the number of baths per unit must include ½ baths, if applicable. For Elderly Developments, at least 50 percent of the total units must be comprised of one-bedroom units and no more than 15 percent of the total units can be larger than 2 bedroom units.

**SECTION SEVEN  
EVALUATION PROCESS**

Individual Committee members shall evaluate the Proposals independently. As indicated in this section, all items presented in Section Six of this RFP are Threshold Items. If any of the items are not submitted, the Proposal will be rejected. The individual Committee members shall evaluate the Proposals by reviewing the answers to determine if threshold is met for each Application. The Committee shall conduct one public meeting during which the Committee may discuss their evaluations, select Applicants most likely to be considered for award, make any adjustments deemed necessary to best serve the interests of Florida Housing's mission, and develop a recommendation or series of recommendations to the Board. The Board may use the Proposals, the Committee's scoring, any other information or recommendation provided by the Committee or Staff, and any other information the Board deems relevant in its selection of Applicants to whom to award funding.

**SECTION EIGHT  
AWARD PROCESS**

Florida Housing shall provide notice of its decision, or intended decision, for this RFP on Florida Housing's Website the next business day after the applicable Board vote. After posting, an unsuccessful Applicant may file a notice of protest and a formal written

protest in accordance with Section 120.57(3), Fla. Stat., et. al. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., et. al. or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

**Exhibit A to RFP 2009-01 - 9 Percent HC Program Funds Request**

Original Application No.: \_\_\_\_\_ Name of Proposed Development : \_\_\_\_\_

HC Request Amount: \$ \_\_\_\_\_ Total number of units: \_\_\_\_\_

Development Type: \_\_\_\_\_ Total number of buildings with dwelling units: \_\_\_\_\_

Unit Mix:

# of Bedrooms per Unit	# of Baths per Unit	# of Units per Bedroom Type

Total Set-Aside Breakdown Chart:

Percentage of Residential Units	AMI Level
	At or Below 25%
	At or Below 28%
	At or Below 30%
	At or Below 33%
	At or Below 35%
	At or Below 40%
	At or Below 45%
	At or Below 50%
	At or Below 60%
Total Set-Aside Percentage:	

The Applicant certifies that the Proposed Development can be completed and operating within the development schedule and budget submitted to Florida Housing and the Credit Underwriter.

The Applicant commits (i) that no qualified residents will be refused occupancy because they have Section 8 vouchers or certificates, (ii) to actively seek tenants from public housing waiting lists, and (iii) to participate in the statewide housing locator system as required by Florida Housing.

The Applicant and all Financial Beneficiaries have read all applicable Florida Housing rules governing this RFP and have read the Instructions for completing this RFP, have read, understand and will comply with section 42 of the Internal Revenue Code, as amended, and all related federal regulations, and will abide by the applicable Florida Statutes and administrative rules, including, but not limited to, Rule Chapter 67-48, Florida Administrative Code, and Request for Proposal 2009-01.

The undersigned understands and agrees that in the event that the Applicant is invited to enter credit underwriting, the Applicant must submit IRS Forms 8821 for all Financial Beneficiaries in order to obtain a recommendation for a Housing Credit Allocation.

The undersigned is authorized to bind all Financial Beneficiaries to this certification and warranty of truthfulness and completeness of the Application.

Under the penalties of perjury, I declare and certify that I have read the foregoing and that the information is true, correct and complete. I certify that all information provided in this Proposal is true and correct, that I am authorized to sign this Proposal as the Applicant and that I am in compliance with all requirements of the RFP.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Name (typed or printed)

\_\_\_\_\_  
Title (typed or printed)