



Date: June 28, 2024
 Location: AC Hotel Tallahassee Universities at the Capitol
 Commencement Time: 8:30 a.m.

BOARD MEETING AGENDA

Call to Order, Declaration of Quorum	<i>Board Liaison</i>
Public Comment	<i>Chair</i>
Minutes Approval of Minutes of the May 10, 2024 Board Meeting	<i>Chair</i>
Approval of Items on Consent Agenda	<i>Chair</i>
Audit Committee Update	<i>Vice-Chair</i>
Live Local Update	<i>Marisa Button</i>
Action Items	
I. Housing Stability for Homeless Schoolchildren	<i>Bill Aldinger</i>
A. Housing Stability for Homeless Schoolchildren Program in Charlotte County	
II. Multifamily Programs- Allocations	<i>Melissa Levy</i>
A. RFA 2024-104 SAIL Financing for Farmworker and Commercial Fishing Worker Housing	
B. RFA 2024-105 Financing to Build Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities	
C. 2024 Rule Development	
D. RFA Waiver for Addition of NHTF Funding for Developments and Approval of Credit Underwriting Reports	
III. Professional Services Selection (PSS)	<i>David Westcott</i>
A. Request for Qualifications (RFQ) 2024-05, for Environmental Engineering/Consulting Services	
B. Invitation to Bid (ITB) 2024-07, for the Printing and Electronic Distribution of Official Statements	<i>Angie Sellers</i>
Public Comment	<i>Chair</i>
Adjournment	

HOUSING STABILITY FOR HOMELESS SCHOOLCHILDREN

Action

I. HOUSING STABILITY FOR HOMELESS SCHOOLCHILDREN

A. Housing Stability for Homeless Schoolchildren Program in Charlotte County

1. Background:

- a) In 2018, Florida Housing established two demonstration projects, in Hernando and Santa Rosa Counties, to evaluate the use of federal HOME funds for tenant-based rental assistance (HOME-TBRA) of up to twenty-four months, paired with Department of Education McKinney-Vento Program resources and community-based case management resources to help families with school-aged children who are experiencing homelessness establish housing stability and achieve self-sufficiency. One primary requirement for participating counties was that the local public housing agency administering HUD rental assistance across the county would execute an agreement to administer the HOME-TBRA allocated by Florida Housing. The other primary requirement is that an MOU be executed between Florida Housing, the county's school system, and a social services agency having experience providing case management and related services for families and children.
- b) The results from these demonstration projects proved success in improving long term housing stability and greater self-sufficiency for the family. Another key outcome was a significant increase in school attendance and academic performance by the school-age children. The successful demonstrations led to the expansion to a more formalized effort within Florida Housing as the Housing Stability for Homeless Schoolchildren Program (Program).
- c) In the spring of 2020, the Board tasked Florida Housing staff with expanding these efforts to serve additional counties. Through a competitive solicitation, three additional counties were selected for funding - Alachua, Bay, and Charlotte counties - each receiving \$500,000 in HOME funds to provide tenant-based rental assistance for families with children participating in the school district's McKinney-Vento Program.
- d) In September 2020, Florida Housing executed a contract with the Punta Gorda Public Housing Authority (PHA) to provide Tenant-Based Rental Assistance to eligible households, in Charlotte County, as part of the Housing Stability for Homeless Schoolchildren Program.

2. Present Situation:

- a) The Housing Stability for Homeless Schoolchildren Program in Charlotte County has been significantly impacted by the rising rents across the County. The Punta Gorda PHA has reported that the Program is unable to find landlords with suitable rental units willing to lease the units at the HOME-TBRA rent limits. Therefore, the Program is not able to serve new homeless families.
- b) HUD rent limits for the HOME-TBRA in the Punta Gorda Metropolitan Statistical Area (MSA) are significantly less than the market rate rents reported through the Zillow Observed Rent Index. The 2024 high HOME-TBRA rent limit for a three-bedroom dwelling in the Punta Gorda MSA is \$1,325, which is approximately \$900 below market rent. In addition to market rate rents, the HOME rent limits are also lower than HUD's Fair Market Rent amounts in the MSA. The Fair

HOUSING STABILITY FOR HOMELESS SCHOOLCHILDREN

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Market Rent limits for two and three-bedroom units are \$1,380 and \$1,945 per month, respectively. The HOME-TBRA rental limit that is paid for the Homeless Schoolchildren assistance is \$1,154 and \$1,325, a difference of \$226 and \$620 respectively.

- c) Staff has conducted due diligence, in conjunction with the Punta Gorda PHA, to analyze the issues related to sharp rent increases impacting the Program, and to develop an approach to serve new families. The Punta Gorda PHA recommended that the rent limits for the Program in Charlotte County should follow the current rent limits for rental units at 110% of Fair Market Rents to be competitive with the rental prices in the market. Staff concurred with the PHA's recommendation. The maximum monthly rent for a two-bedroom unit at 110% of Fair Market Rent is \$1,518. The maximum monthly rent for a three-bedroom unit is \$2,139.
- d) Staff also determined that other federal resources cannot supplement the rental assistance provided by the federal HOME-TBRA resource. However, the HOME-TBRA rental assistance may be supplemented by non-federal resources to meet the higher than maximum rental allowed by HUD-TBRA.
- e) The Charlotte County partnership had been successful in meeting the Program's intent until they experienced the sharp upturn in rental pricing. The Punta Gorda PHA has been exemplary in administering the HOME-TBRA and assisting the participating families. The Homeless Continuum of Care, the Gulf Coast Partnership, is well-known throughout the country for their success in ending homelessness among veterans and is fully engaged with the homeless schoolchildren program. The school district's McKinney-Vento program was very active in working with suitable families. Staff believe that the Program will continue its success in Charlotte County if there are available non-federal resources to fund the gap between HOME-TBRA rent limits and rents at 110% of HUD Fair Market Rents.

3. **Recommendation**

- a) Authorize staff to approve up to \$500,000 in available funds to supplement the HOME-TBRA rental assistance limits in Charlotte County so that participating homeless families may find suitable rental units to lease at or below 110% of the current Fair Market Rents determined by HUD. The objective is to fund the rental assistance for up to 25 families for no longer than 24 months, pursuant to the HOME-TBRA requirements.

MULTIFAMILY PROGRAMS - ALLOCATIONS

Action

II. MULTIFAMILY PROGRAMS - ALLOCATIONS

A. RFA 2024-104 SAIL Financing for Farmworker and Commercial Fishing Worker Housing

1. **Background:**

- a) On April 18, 2024, Florida Housing Finance Corporation (Florida Housing) issued RFA 2024-104 offering \$7,710,269 in SAIL Financing for Applicants proposing new construction or Substantial Rehabilitation of existing Farmworker or Commercial Fishing Worker Developments that are currently in the Corporation's portfolio and/or the United States Department of Agriculture Rural Development portfolio.
- b) The deadline for receipt of Applications was 3:00 p.m., Eastern Time, May 16, 2024.

2. **Present Situation:**

- a) Florida Housing received 2 Applications in response to this RFA. The Review Committee members, designated by the Chief Financial Officer, were Mandy DuSold, Multifamily Allocations Manager (Chair), Kelisha Austin, Policy Coordinator, Bryan Barber, Multifamily Allocations Manager, Diana Fields, Policy Administrator, and Elaine Roberts, Policy Administrator. Each member of the Review Committee independently evaluated and scored their assigned portions of the submitted Applications, consulting with non-committee staff and legal counsel as necessary and appropriate.
- b) At its June 11, 2024, Review Committee meeting, the individual committee members presented their scores and the Committee carried out the funding selection process in accordance with Section Five, B. of the RFA. The individual scores are set forth on the RFA webpage and can be accessed here.
- c) The RFA 2024-104 All Applications chart (provided as [Exhibit A](#)) lists the eligible and ineligible Applications. The Applications are listed in assigned Application Number order. There were no ineligible Applications.
- d) The Review Committee considered the following motions:
 - (1) A motion for the Review Committee to approve the scoring results set out on [Exhibit A](#) and recommendations for funding as set out on [Exhibit B](#);
 - (2) A motion to recommend that the Board approve the scoring results set out on [Exhibit A](#) and recommendations for funding as set out on [Exhibit B](#).
- e) The motions passed unanimously.

3. **Recommendation:**

- a) Approve the Committee's recommendations that the Board, adopt the scoring results of the 2 Applications and authorize the tentative selection of the 2 Applications (set out on [Exhibit B](#)) for funding.

MULTIFAMILY PROGRAMS - ALLOCATIONS

Action

- b) If no notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., staff will proceed to issue an invitation to enter credit underwriting to the Applications set out on [Exhibit B](#).
- c) If a notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., then at the completion of all litigation for those Applicants impacted by litigation, staff will present all Recommended Orders for Board approval prior to issuing invitations to enter credit underwriting to those Applicants in the resulting funding range. For those Applications in the funding range but not impacted by litigation, staff will issue invitations to underwriting as outlined in rule 67-48.0072(1), F.A.C.
- d) There is \$1 in SAIL funding remaining. As provided in Section Five, B. of the RFA, any remaining funding will be distributed as approved by the Board.

MULTIFAMILY PROGRAMS - ALLOCATIONS

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B. RFA 2024-105 Financing to Build Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities

1. Background

- a) On April 24, 2024, Florida Housing Finance Corporation (Florida Housing) issued RFA 2024-105 offering \$1,300,000 in grant funding for small Permanent Supportive Housing Developments for housing for Persons with Developmental Disabilities, consisting of no more than 6 Units.
- b) The deadline for receipt of Applications was 3:00 p.m., Eastern Time, May 15, 2024.

2. Present Situation

- a) Florida Housing received 2 Applications in response to this RFA. The Review Committee members, designated by the Chief Financial Officer, were Mandy DuSold, Multifamily Allocations Manager (Chair), Kelisha Austin, Policy Coordinator, Bryan Barber, Multifamily Allocations Manager, Diana Fields, Policy Administrator, and Elaine Roberts, Policy Administrator. Each member of the Review Committee independently evaluated and scored their assigned portions of the submitted Applications, consulting with non-committee staff and legal counsel as necessary and appropriate.
- b) At its June 13, 2024, Review Committee meeting, the individual committee members presented their scores and the Committee carried out the funding selection process in accordance with Section Five, B. of the RFA. The individual scores are set forth on the RFA webpage and can be accessed here.
- c) The RFA 2024-105 All Applications chart (provided as [Exhibit C](#)) lists the eligible and ineligible Applications. The eligible Applications (i.e., Applications that met all criteria to be eligible to be considered for funding) and the ineligible Applications are listed in assigned Application Number order.
- d) The Review Committee considered the following motions:
 - (1) A motion for the Review Committee to approve the scoring results set out on [Exhibit C](#) and recommendations for funding as set out on [Exhibit D](#);
 - (2) A motion to recommend that the Board approve the scoring results set out on [Exhibit C](#) and recommendations for funding as set out on [Exhibit D](#).
- e) The motions passed unanimously.

3. Recommendation

- a) Approve the Committee's recommendations that the Board, adopt the scoring results of the 2 Applications and authorize the tentative selection of the 1 Application (set out on [Exhibit D](#)) for funding.

MULTIFAMILY PROGRAMS - ALLOCATIONS

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- b) If no notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., staff will proceed to issue an invitation to enter credit underwriting to the Application set out on [Exhibit D](#).
- c) If a notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., then at the completion of all litigation for those Applicants impacted by litigation, staff will present all Recommended Orders for Board approval prior to issuing invitations to enter credit underwriting to those Applicants in the resulting funding range.
- d) There is \$255,500 in Grant funding remaining. As provided in Section Five, B. of the RFA, any remaining funding will be distributed as approved by the Board. After litigation, staff recommends that any remaining Grant funding be allocated in RFA 2025-106 Financing to Develop Housing for Persons with Disabling Conditions/Developmental Disabilities.

MULTIFAMILY PROGRAMS - ALLOCATIONS

Action

C. 2024 Rule Development

1. Background

- a) A rule development workshop was held on May 29, 2024 to solicit comments concerning the proposed changes to Rule Chapters 67-21, F.A.C. (Non-Competitive Affordable Multifamily Rental Housing Programs), 67-48, F.A.C. (Competitive Affordable Multifamily Rental Housing Programs) and 67-60, F.A.C. (Competitive Solicitation Funding Process).

2. Present Situation

- a) As a result of the workshops, staff has drafted proposed revisions. Staff would like to proceed with the rule development process for these rules and requests the Board's approval of the proposed Rules. The Notice of Proposed Rulemaking (NOPR) for rule 67-21, F.A.C. is attached as [Exhibit E](#), the NOPR for rule 67-48, F.A.C. is attached as [Exhibit F](#), and the NOPR for rule 67-60, F.A.C. is attached as [Exhibit G](#).
- b) If the Board approves the proposed rules as presented, the NOPRs will be published in the July 1, 2024, edition of the Florida Administrative Register. The NOPRs will announce the Rule Hearings which are scheduled for July 23, 2024. 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 the proposed rules for adoption.
 - (2) If modification 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.

3. Recommendation

- a) 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 Board Chair to determine whether a NOC makes material, substantive changes to the rule chapter. If the Chair 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.

MULTIFAMILY PROGRAMS - ALLOCATIONS

Action

D. RFA Waiver for Addition of NHTF Funding for Developments and Approval of Credit Underwriting Reports

1. Background:

- a) Florida Housing Finance Corporation (Florida Housing) is responsible for receiving and administering National Housing Trust Fund (NHTF) resources. NHTF is a permanent federal program that serves to increase and preserve the supply of rental housing for Extremely Low Income households (households with incomes of 30% AMI or less). Over the last several years, Florida Housing has allocated this funding in the SAIL General Occupancy RFA and in the Specialized Demographic RFAs serving Homeless and Disabling Conditions/Developmental Disabilities.
- b) The federal statute requires Florida Housing to commit the funds within two years of the funds being allocated to the State. Uncommitted funds are to be recaptured by HUD and reallocated to other states. Florida Housing has preliminarily awarded over \$34 Million in NHTF funding; however, for those funds to be "committed" as required by the statute, Developments must complete credit underwriting and receive their firm commitment from Florida Housing.

2. Present Situation

- a) Florida Housing still has approximately \$24 Million of its 2022 allocation that needs to be committed by November 10, 2024, or it will be subject to recapture by HUD. While Florida Housing has preliminarily awarded \$34 Million of NHTF funding, a large number of Developments in the pipeline have required Firm Commitment Extensions. Therefore, Developments that Florida Housing anticipated committing the funds to before the deadline are now not able to receive a firm commitment because of various project delays. Analyzing the over twenty Developments in the pipeline that have been allocated NHTF funding, it is unlikely that most of these Developments will complete credit underwriting in time to meet the November 10th deadline.
- b) In order to mitigate this risk, Florida Housing has identified Developments in the pipeline that have not already received an allocation of NHTF resources that may be able to meet the deadline and utilize the funding to buy down 60% AMI units to 30% AMI units. The parameters for the Developments selected were as follows:
 - (1) Development must be new construction;
 - (2) Original award must have been allocated competitively (NHTF Action Plan requirement);
 - (3) Original award must not have included an allocation of NHTF resources;
 - (4) Application must not have been eligible for CHIRP or Viability funding;
 - (5) Development must not impact a Wetlands area due to NHTF regulations; and
 - (6) Development must be able to complete credit underwriting and obtain a

MULTIFAMILY PROGRAMS - ALLOCATIONS

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firm commitment by November 10, 2024.

- c) Florida Housing further limited the allocation of NHTF funding with the following parameters:
 - (1) The total number of units at 30% AMI and below (including all other existing ELI set-aside units and new NHTF units) was limited to 15% of the total units in the Development;
 - (2) The maximum number of NHTF units that could be included was the lesser of 10% of the total units or 10 units; and
 - (3) After applying the above two factors, the Development must be able to request a minimum of 3 NHTF units.
- d) After applying these parameters to the Developments in the pipeline, the following Developments were eligible and requested/accepted NHTF funding:

Development Name	Development Number	NHTF Funding
Avon Park Apartments	2024-077C	\$1,650,000
Cardinal Pointe	2024-139C	\$2,750,000
Ekos at Bayonet Point	2024-130C	\$2,750,000
Princeton Manor	2024-195C	\$3,700,000
Quail Roost Transit Village V	2024-198C	\$3,750,000
Residences at Foxcroft Cove	2024-155C	\$1,575,000
Roseland Gardens	2023-115C	\$2,065,000
Southpointe Vista II	2024-036C / 2023-526C	\$1,110,000
Sweetwater Apartments Phase II	2024-128C	\$1,375,000
Fountains at Hidden Lake	2023-026C	\$2,080,000
Pointe at Piney-Z	2023-044C	\$1,820,000
Williston Pointe	2024-133C	\$1,925,000

MULTIFAMILY PROGRAMS - ALLOCATIONS

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- e) The RFA under which these Developments were awarded funding did not offer the option to apply for NHTF resources; therefore, an RFA waiver is required.
- f) In order for Developments to be eligible to receive the NHTF funding, the Credit Underwriting Report will need to be completed and the firm commitment will need to be fully executed by November 10, 2024. Therefore, staff would also request that the Credit Underwriting Reports for Developments that otherwise only have 9% Housing Credit funding, be approved by staff and included on the Informational Agenda at the next Board Meeting, thereby allowing our credit underwriters and staff more time to complete the Credit Underwriting Reports before the November 10th deadline.

3. **Recommendation:**

- a) Approve the RFA Waiver to allow for the addition of NHTF resources to Developments that meet certain underwriting parameters as determined by staff.
- b) Allow staff to approve Credit Underwriting Reports that otherwise only have 9% Housing Credit funding in the transaction, with reports being presented on the Informational Agenda of the subsequent Board Meeting.

PROFESSIONAL SERVICES SELECTION (PSS)

Action

III. PROFESSIONAL SERVICES SELECTION (PSS)

A. Request for Qualifications (RFQ) 2024-05, for Environmental Engineering/Consulting Services

1. Background:

- a) On April 22, 2024, Florida Housing staff issued a competitive solicitation for Environmental Engineering/Consulting Services. A review committee was established to make a recommendation to the Board.

2. Present Situation:

- a) The deadline for receipt of responses was 2:00 p.m., May 22, 2024. A copy of the RFQ is provided as [Exhibit A](#).
- b) Four responsive proposals were received from:
 - Arcadis U.S., Inc.
 - Professional Service Industries, Inc.
 - SWCA Environmental Consultants
 - Terracon Consultants, Inc.
- c) Members of the review committee were Donna Phillips (Chairperson), Federal Loan Programs Manager; Amanda Franklin, Federal Loan Programs Manager; and David Woodward, Federal Loan Program Administrator.
- d) Each member of the review committee individually reviewed the proposals prior to convening for the Review Committee meeting which was held at 10:00 a.m., June 4, 2024.
- e) At the June 4th meeting, the review committee provided final scores for the response. The score sheet is provided as [Exhibit B](#).

3. Recommendation:

- a) The review committee recommends that Florida Housing enter into contract negotiations with the top three scoring respondents: Professional Service Industries, Inc.; Terracon Consultants, Inc.; and Arcadis U.S., Inc. Should negotiations with one or more of these firms fail, the committee recommends entering into contract negotiations with SWCA Environmental Consultants.

PROFESSIONAL SERVICES SELECTION (PSS)

Action

B. Invitation to Bid (ITB) 2024-07, for the Printing and Electronic Distribution of Official Statements

1. Background:

- a) On April 29, 2024, Florida Housing staff issued a competitive solicitation for the Printing and Electronic Distribution of Official Statements.

2. Present Situation:

- a) The deadline for receipt of responses was 2:00 p.m., June 4, 2024. A copy of the ITB is provided as [Exhibit C](#).
- b) One responsive bid was received from ImageMaster, LLC. A copy of the Bid Tabulation form is provided as [Exhibit D](#).

3. Recommendation:

- a) Staff recommends that Florida Housing enter into contract negotiations with ImageMaster, LLC.

RFA 2024-104 All Applications

Application Number	Name of Development	County	Demographic	Name of Authorized Principal Representative	Name of Developers	Number of Units	SAIL Request Amount	Eligible For Funding?	Dev Category?	Operating / Managing Experience Preference	Current and Future Need Point Preference	SAIL Request Per Set-Aside Unit	SAIL Request as % of TDC Preference	Florida Job Creation Preference	Lottery Number
2024-316S	Manatee Village	Hillsborough	FW	Steven C. Kirk	Rural Neighborhoods, Incorporated	62	\$3,310,268	Y	R	N	Y	\$ 53,391.42	N	Y	1
2024-317S	Main Street Village	Collier	FW	Steven C. Kirk	Rural Neighborhoods, Incorporated	79	\$4,400,000	Y	R	N	Y	\$ 55,696.20	N	Y	2

RFA 2024-104 – Review Committee Recommendations

Total SAIL Funding Available for	7,710,269
Total SAIL Funding Allocated	7,710,268
Total SAIL Funding Remaining	1

Application Number	Name of Development	County	Demographic	Name of Authorized Principal Representative	Name of Developers	Number of Units	SAIL Request Amount	Eligible For Funding?	Dev Category?	Operating / Managing Experience Preference	Current and Future Need Point Preference	SAIL Request Per Set-Aside Unit	SAIL Request as % of TDC Preference	Florida Job Creation Preference	Lottery Number
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First Application - highest-ranking eligible Application that selected the Development Category of Substantial Rehabilitation, with or without Acquisition

2024-316S	Manatee Village	Hillsborough	FW	Steven C. Kirk	Rural Neighborhoods, Incorporated	62	\$3,310,268	Y	R	N	Y	\$ 53,391.42	N	Y	1
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Remaining Funding

2024-317S	Main Street Village	Collier	FW	Steven C. Kirk	Rural Neighborhoods, Incorporated	79	\$4,400,000	Y	R	N	Y	\$ 55,696.20	N	Y	2
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**RFA 2024-105
All Applications**

Application Number	Name of proposed Development	County	Authorized Principal Representative	Name Of Applicant	CRH or SLU?	CRH that is IB?	Proposed number of Residents	Total Units	Maximum Eligible Funding Award Amount	Eligible ?	Total Points	Qualifying Financial Assistance	Florida Job Creation	Lottery Number
2024-314G	MARC House	Monroe	Diana Flenard	Monroe Association for Retarded Citizens Inc. d/b/a MARC, Monroe Association for ReMARcable Citizens	SLU	N/A	10	4	\$959,500.00	Y	102	Y	Y	1
2024-315G	Independence Place	Pinellas	Julian S Eller	Community Assisted and Supported Living, Inc.	SLU	N/A	N/A	6	\$1,044,500.00	Y	107	N	Y	2

**RFA 2024-105
Review Committee Recommendations**

Total Grant Funding Available in RFA	\$ 1,300,000.00
Total Grant Funding Allocated	\$ 1,044,500.00
Total Grant Remaining	\$ 255,500.00

Application Number	Name of proposed Development	County	Authorized Principal Representative	Name Of Applicant	CRH or SLU?	CRH that is IB?	Proposed number of Residents	Total Units	Maximum Eligible Funding Award Amount	Eligible ?	Total Points	Qualifying Financial Assistance	Florida Job Creation	Lottery Number
2024-315G	Independence Place	Pinellas	Julian S Eller	Community Assisted and Supported Living, Inc.	SLU	N/A	N/A	6	\$1,044,500.00	Y	107	N	Y	2

Notice of Proposed Rulemaking

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.0025: Miscellaneous Criteria

67-21.003: Application and Selection Process for Developments

67-21.014: MMRB Credit Underwriting Procedures

67-21.026: HC Credit Underwriting Procedures

PURPOSE AND EFFECT: The purpose of this Rule Chapter is to establish the procedures by which the Corporation shall:

(1) Administer the Application process, determine bond allocation amounts and implement the provisions of the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.; and

(2) Administer the Application process, determine Non-Competitive Housing Credit amounts, and implement the provisions of the Housing Credit (HC) Program authorized by Section 42 of the IRC and Section 420.5099, F.S.

The intent of this Rule Chapter is to encourage public-private partnerships to invest in residential housing; to stimulate the construction and rehabilitation of residential housing which in turn will stimulate the job market in the construction and related industries; and to increase and improve the supply of affordable housing in the State of Florida.

SUMMARY: Prior to the opening of an Application process, the Corporation (1) researches the market need for affordable housing throughout the state of Florida and (2) evaluates prior Applications to determine what changes or additions should be added to the Rule and/or Application. The proposed amendments to the Rule and adopted reference material include changes that will create a formulated process for selecting Developments that will apply for Non-Competitive Housing Credits, or a combination of MMRB and Non-Competitive Housing Credits.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. The rule is not likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. In addition, the rule is not likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 420.507, 420.508, FS.

LAW IMPLEMENTED: 420.507, 420.508, 420.509, 420.5099 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 23, 2024, beginning at 10:00 a.m., Eastern Time

PLACE: The hearing will take place by webinar and the instructions for accessing the webinar will be posted on the Corporation's website <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/current-rules-and-rule-development-process/2024-rule-development-process>. Interested parties may also attend in person at the offices of Florida Housing Finance Corporation, 227 N. Bronough Street, 6th Floor Seltzer Room, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Levy, Managing Director of Multifamily Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197.

THE FULL TEXT OF THE PROPOSED RULE IS:

67-21.0025 Miscellaneous Criteria.

(1) through (6) No change.

(7) For all Applications, disclosure of the Principals of the Applicant must comply with paragraphs (a) and (b) below, and unless otherwise approved by the Corporation for Applicants requesting Non-Competitive Housing Credits only, all Applicants must also comply with paragraphs (c) and (d) below.

(a) The Applicant must disclose all of the Principals of the Applicant (first principal disclosure level). For Applicants seeking Housing Credits, the Housing Credit Syndicator/Housing Credit investor need only be disclosed at the first principal disclosure level and no other disclosure is required;

(b) The Applicant must disclose all of the Principals of all the entities identified in paragraph (a) above (second principal disclosure level);

(c) The Applicant must disclose all of the Principals of all of the entities identified in paragraph (b) above (third principal disclosure level). Unless the entity is a trust or a non-profit as defined in Section 42(h)(5)(C), subsection 501(c)(3) or subsection 501(c)(4) of the IRC, all of the Principals must be natural persons. A non-profit entity may be identified at the third principal disclosure level if the non-profit wholly owns a real estate development subsidiary identified at the second principal disclosure level; and

(d) If any of the entities identified in paragraph (c) above are a trust or a non-profit, the Applicant must disclose all of the Principals of the trust or a non-profit (fourth principal disclosure level), all of whom must be natural persons.

(e) Applicants requesting Non-Competitive Housing Credits only that request approval from the Corporation to allow for disclosure of natural person Principals below the third disclosure level must send written request to the Corporation which details the reason for the request, including any substantial hardship which prevents the Applicant from complying with paragraphs (c) and (d) of this subsection.

(f) Applicants requesting Non-Competitive Housing Credits shall be relieved of the principal disclosures required in paragraphs (c) through (e) of this subsection if the following criteria are met:

1. The Applicant has no entities at any principal disclosure level that own more than a 10 percent direct or indirect interest in the Applicant where any natural person Principal owns more than a 10 percent interest in the entity;

2. The Applicant, its Affiliate entities, or its disclosed Principals collectively have a net worth of at least \$250 million;

3. The Applicant, its Affiliate entities, or its disclosed Principals collectively own or have owned a controlling interest in at least 25 affordable housing projects where:

a. At least 50 percent of the total units are Low Income units and financed in whole or in part utilizing Tax-exempt Bonds or Housing Credits; or

b. At least 50 percent of the total households receive federal, state, or local rental subsidies; and

4. The Applicant discloses:

a. All non-natural person Principals of all entities at all Principal disclosure levels; provided, that, such disclosure shall not be required for entities that own less than a 10 percent indirect non-controlling interest in the Applicant;

b. Each officer, director, and executive director of the entity that controls day-to-day management and decisions of the Applicant; and

c. A natural person Principal who possesses the authority to legally bind each entity.

(8) No change.

Rulemaking Authority 420.507, 420.508 FS. Law Implemented 420.509, 420.5099 FS. History—New 7-16-13, Amended 2-2-15, 9-15-16, Repromulgated 5-24-17, Amended 7-8-18, 7-11-19, Repromulgated 6-23-20, 5-18-21, 7-6-22, Amended 6-28-23,_____.

67-21.003 Application and Selection Process for Developments.

(1) Unless otherwise set forth in a competitive solicitation pursuant to rule Chapter 67-60, F.A.C., Applicants shall apply for Non-Competitive HC or a combination of MMRB and Non-Competitive HC as set forth below. For purposes of this subsection only, the term NC Award shall refer to Non-Competitive HC or a combination of MMRB and Non-Competitive HC, and funding from the Predevelopment Loan Program (PLP) will not be considered to be other Corporation funding.

(a) If the NC Award will be made available, with or without other Corporation funding, through the competitive solicitation funding process outlined in rule Chapter 67-60, F.A.C., the Applicant shall apply for the NC Award using the forms and procedures specified in the applicable competitive solicitation for such other funding. Unless otherwise specifically provided in the solicitation, all of the substantive provisions of this chapter will continue to apply to the NC Award. Any references in this chapter to “Application” shall mean the application or response submitted for such other funding.

(b) If the NC Award will not be made available through the competitive solicitation funding process outlined in rule Chapter 67-60, F.A.C., the Applicant shall utilize the Non-Competitive Application Package. The Non-Competitive Application Package or NCA (~~Rev. 06-2024~~ ~~(Rev. 06-2023)~~) is adopted and incorporated herein by reference and consists of the forms and instructions available, without charge, on the Corporation’s website under the Multifamily Programs link labeled Non-Competitive Programs or from _____ <http://www.flrules.org/Gateway/reference.asp?No=Ref-15428>, which shall be completed and submitted to the Corporation in accordance with this rule chapter.

(c) All Applications must be complete, legible and timely when submitted, except as described below. Corporation staff may not assist any Applicant by copying, collating, or adding documents to an Application nor shall any Applicant be permitted to use the Corporation’s facilities or equipment for purposes of compiling or completing an Application.

(2) through (13) No change.

Rulemaking Authority 420.507, 420.508 FS. Law Implemented 420.502, 420.507(4), (13), (14), (18), (19), (20), (21), (24), (35), 420.508, 420.509, 420.5099 FS. History—New 12-3-86, Amended 12-4-90, 11-23-94, 9-25-96, 1-7-98, Formerly 91-21.003, Amended 1-26-99, 11-14-99, 2-11-01, 3-17-02, 4-6-03, 3-21-04, 2-7-05, 1-29-06, 4-1-07, 3-30-08, 8-6-09, 11-7-11, 7-16-13, 2-2-15, 10-6-15, 9-15-16, 5-24-17, 7-8-18, 7-11-19, 6-23-20, 5-18-21, 7-6-22, 6-28-23, _____.

67-21.014 MMRB Credit Underwriting Procedures.

Credit Underwriting is a de novo review of all information supplied, received or discovered during or after any application scoring process, prior to the closing on funding. The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development team’s experience, past performance or financial capacity is satisfactory.

(1) No change.

(2) The Credit Underwriter shall in Credit Underwriting analyze and review all information in the Application, or any proposed changes made subsequent thereto, in order to make a recommendation to the Board of Directors on the feasibility of the Development, without taking into account the willingness of a Credit Enhancer to provide Credit Enhancement. Credit Underwriting services shall include a comprehensive analysis of the Applicant, the real estate, the economics of the Development, the ability of the Applicant and the Development team to proceed, and the evidence of need for affordable housing in order to determine that the Development meets the MMRB Program requirements. The Credit Underwriter shall determine a recommended Bond amount that should be made to a Development, whether an initial loan or a refunding.

(a) No change.

(b) The Credit Underwriter shall review the proposed financing structure to determine whether the MMRB Loan is feasible. The Credit Underwriter shall also request and review such other information as it deems appropriate to determine whether or not to provide a positive recommendation in connection with a proposed Development. In making that determination the Credit Underwriter will consider the prior and recent performance history of the Applicant, Developer, any Financial Beneficiary of the Applicant or Developer, and the General Contractor in connection with any other ~~affordable housing~~ development. The performance history shall consider instances involving a foreclosure, deed in lieu of foreclosure, financial arrearage, or other event of material default in connection with any ~~affordable housing~~ development or the documents governing financing or operation of any such development.

(c) Unless the Credit Underwriter determines that mitigating factors exist, or that underwriting conditions can be

imposed, sufficient to mitigate or offset the risk, the existence of the following shall result in a negative recommendation of the proposed Development by the Credit Underwriter:

1. Considering all ~~affordable housing~~ developments in which any party named above has been involved, if:

a. During the period prior to August 1, 2010, 5 percent or more of that party's developments have been the subject of a foreclosure or deed in lieu of foreclosure, or in financial arrearage or other material default and such arrearage or material default remained uncured for a period of 60 days or more, or

b. During the period beginning on or after August 1, 2010, any of that party's developments have been the subject of a foreclosure or deed in lieu of foreclosure, or in financial arrearage or other material default and such arrearage or material default is uncured at the present or, if cured, remained uncured for a period of 60 days or more.

2. Mitigating factors to be considered by the Credit Underwriter, to the extent such information is reasonably available and verifiable, shall include the extent to which the party funded the operations of the development from that party's own funds in an attempt to keep the development afloat, the election by a party to forego financial participation in a development in an attempt to keep the development afloat, the party's satisfactory performance history over the last ten (10) years in connection with that party's ~~affordable housing~~ developments, and any other extenuating circumstances deemed relevant by the Credit Underwriter in connection with the party's involvement in a development.

3. A negative recommendation may also result from the review of:

a. An Applicant, Developer, any Financial Beneficiary of the Applicant or Developer, and the General Contractor in connection with any other ~~affordable housing~~ development,

b. Financial capacity of an Applicant, Developer, any Financial Beneficiary of the Applicant or Developer, and the General Contractor, and for Housing Credits, the Housing Credit Syndicator, or

c. Any other relevant matters relating to an Applicant, Developer, any Financial Beneficiary of the Applicant or Developer, and the General Contractor if, in the Credit Underwriter's opinion, one or more members of the Development team do not possess the ability to proceed.

(d) No change.

(e) At a minimum, each general partner (whether individual or entity) or each manager/managing member (whether individual or entity), as applicable, of the Applicant shall provide a guarantee for completion of construction. In addition, one or more entities or individuals (other than a general partner or manager/managing member) having an ownership interest, either directly or indirectly, in the Applicant or in the general partner or managing member of the Applicant shall be required to provide guarantees or personal guarantees, as applicable, for completion of construction as recommended by the Credit Underwriter or as otherwise required by the Corporation. The Corporation shall consider the following when determining the need for additional construction completion guarantees based on the recommendations of the Credit Underwriter:

1. Liquidity of any guarantee provider.

2. If applicable, Applicant's, Developer's and General Contractor's history in successfully completing Developments ~~of similar nature~~.

3. If applicable, ~~t~~The past performance of the Applicant, Developer, General Contractor, or any other guarantee provider, in developing or constructing Developments financed by the Corporation or its predecessor.

4. Percentage of the Corporation's funds utilized compared to Total Development Costs. If, after evaluation of subparagraphs 1. through 4. above, by the Corporation and the Credit Underwriter, it is determined that additional surety is needed, the Applicant will be required to provide a letter of credit or payment and performance bond.

(f) through (r) No change.

(3) through (5) No change.

Rulemaking Authority 420.507, 420.508 FS. Law Implemented 420.507, 420.508, 420.508(3)(b)3., 420.509 FS. History—New 1-7-98, Formerly 9I-21.014, Amended 1-26-99, 11-14-99, 1-26-00, 2-11-01, 3-17-02, 4-6-03, 3-21-04, 2-7-05, 1-29-06, 4-1-07, 3-30-08, 8-6-09, 11-7-11, 7-16-13, 2-2-15, 9-15-16, 5-24-17, 7-8-18, 7-11-19, 6-23-20, 5-18-21, 7-6-22, 6-28-23,_____.

67-21.026 HC Credit Underwriting Procedures.

Credit Underwriting is a de novo review of all information supplied, received or discovered during or after any application scoring process, prior to the closing on funding, including the issuance of IRS Forms 8609 for Housing Credits. The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development team's experience, past performance or financial

capacity is satisfactory. The Credit Underwriting review shall include a comprehensive analysis of the Applicant, the real estate, the economics of the Development, the ability of the Applicant and the Development team to proceed, the evidence of need for affordable housing in order to determine that the Development meets the program requirements and determine a recommended Housing Credit Allocation amount, if any; and for any Development that has rehabilitation with or without acquisition, a capital needs assessment ('CNA') prepared in accordance with generally accepted industry investment grade standards shall be ordered by the Credit Underwriter, and its findings shall be used to determine rehabilitation that will be carried out and to set replacement reserves as outlined in paragraph (11)(b), below. Corporation funding will be based on appraisals of comparable developments, cost benefit analysis, and other documents evidencing justification of costs. As part of the Credit Underwriting review, the Credit Underwriter will consider the applicable provisions of this rule chapter.

(1) through (4) No change.

(5) In determining whether or not to provide a positive recommendation in connection with a proposed Development, the Credit Underwriter will consider the prior and recent performance history of the Applicant, Developer, and any Financial Beneficiary of the Applicant or Developer in connection with any other ~~affordable housing~~ development. The performance history shall consider instances involving a foreclosure, deed in lieu of foreclosure, financial arrearage, or other event of material default in connection with any ~~affordable housing~~ development or the documents governing financing or operation of any such development.

(a) Unless the Credit Underwriter determines that mitigating factors exist, or that underwriting conditions can be imposed, sufficient to mitigate or offset the risk, the existence of the following shall result in a negative recommendation of the proposed Development by the Credit Underwriter:

1. Considering all ~~affordable housing~~ developments in which any party named above has been involved, if:

a. During the period prior to August 1, 2010, 5 percent or more of that party's developments have been the subject of a foreclosure or deed in lieu of foreclosure, or in financial arrearage or other material default and such arrearage or material default remained uncured for a period of 60 days or more, or

b. During the period beginning on or after August 1, 2010, any of that party's developments have been the subject of a foreclosure or deed in lieu of foreclosure, or in financial arrearage or other material default and such arrearage or material default is uncured at the present or, if cured, remained uncured for a period of 60 days or more.

2. Mitigating factors to be considered by the Credit Underwriter, to the extent such information is reasonably available and verifiable, shall include the extent to which the party funded the operations of the development from that party's own funds in an attempt to keep the development afloat, the election by a party to forego financial participation in a development in an attempt to keep the development afloat, the party's satisfactory performance history over the last 10 years in connection with that party's ~~affordable housing~~ developments, and any other extenuating circumstances deemed relevant by the Credit Underwriter in connection with the party's involvement in a development.

(b) A negative recommendation may also result from the review of:

1. An Applicant, Developer, and any Financial Beneficiary of the Applicant or Developer in connection with any other ~~affordable housing~~ development,

2. Financial capacity of an Applicant, Developer, and any Financial Beneficiary of the Applicant or Developer, or

3. Any other relevant matters relating to an Applicant, Developer, and any Financial Beneficiary of the Applicant or Developer if, in the Credit Underwriter's opinion, one or more members of the Development team do not possess the ability to proceed.

(6) through (19) No change.

Rulemaking Authority 420.507, 420.508 FS. Law Implemented 420.5099 FS. History--New 7-16-13, Amended 2-2-15, 9-15-16, 5-24-17, 7-8-18, 7-11-19, 6-23-20, 5-18-21, 7-6-22, 6-28-23,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melissa Levy, Managing Director of Multifamily Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ryan Benson, Chairman of the Board, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 50, Number 95, May 14, 2024

Notice of Proposed Rulemaking

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004: Selection Procedures for Developments

67-48.0072: Credit Underwriting and Loan Procedures

PURPOSE AND EFFECT: The purpose of this Rule Chapter is to establish the procedures by which the Corporation shall:

- (1) Address loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, F.S., and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, F.S.; and
- (2) Address Competitive Housing Credit amounts and implement the provisions of the Housing Credit (HC) Program authorized by Section 42 of the IRC and Section 420.5099, F.S.

The intent of this Rule Chapter is to encourage public-private partnerships to invest in residential housing; to stimulate the construction and rehabilitation of residential housing which in turn will stimulate the job market in the construction and related industries; and to increase and improve the supply of affordable housing in the state of Florida.

SUMMARY: Prior to the opening of a funding process, the Corporation (1) researches the market need for affordable housing throughout the state of Florida and (2) evaluates prior competitive funding processes to determine what changes or additions should be added to the Rule, competitive solicitations, and the Qualified Allocation Plan (QAP). The proposed amendments to the Rule and adopted reference material include changes that will create a formulated process for selecting Developments that will apply under these funding programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. The rule is not likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. In addition, the rule is not likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 23, 2024, beginning at 10:00 a.m., Eastern Time

PLACE: The hearing will take place by webinar and the instructions for accessing the webinar will be posted on the Corporation's website <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/current->

rules-and-rule-development-process/2024-rule-development-process. Interested parties may also attend in person at the offices of Florida Housing Finance Corporation, 227 N. Bronough Street, 6th Floor Seltzer Room, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Levy, Managing Director of Multifamily Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197.

THE FULL TEXT OF THE PROPOSED RULE IS:

67-48.004 Selection Procedures for Developments.

(1) Unless otherwise provided in a competitive solicitation process, SAIL, HOME and Housing Credit Applications shall be limited to one submission per subject property. Two or more Applications, submitted in the same competitive solicitation process, that have the same demographic commitment and one or more of the same Financial Beneficiaries, will be considered submissions for the same Development site if any of the following is true:

(a) Any part of any of the property sites is contiguous with any part of any of the other property sites, or

(b) Any of the property sites are divided by a street or easement, or

(c) It is readily apparent from the Applications, proximity, chain of title, or other information available to the Corporation that the properties are part of a common or related scheme of development.

If two or more Applications are considered to be submissions for the same Development site, the Corporation will reject all such Applications.

(2) through (7) No change.

Rulemaking Authority 420.507, 420.508 FS. Law Implemented 420.5087, 420.5087(6)(c), 420.5089, 420.5089(6), 420.5099, 420.5099(2) FS. History—New 7-22-96, Amended 12-23-96, 7-10-97, 1-6-98, Formerly 9I-48.004, Amended 4-7-98, 11-9-98, 2-24-00, 2-22-01, 3-17-02, 4-6-03, 3-21-04, 2-7-05, 1-29-06, 4-1-07, 3-30-08, 8-6-09, 11-22-11, 10-9-13, 10-8-14, 9-15-16, Repromulgated 5-24-17, Amended 7-8-18, 7-11-19, 6-23-20, 5-18-21, 7-6-22, Repromulgated 6-28-23, Amended _____.

67-48.0072 Credit Underwriting and Loan Procedures.

Credit underwriting is a de novo review of all information supplied, received or discovered during or after any competitive solicitation scoring and funding preference process, prior to the closing on funding, including the issuance of IRS Forms 8609 for Housing Credits. The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development team's experience, past performance or financial capacity is satisfactory. The credit underwriting review shall include a comprehensive analysis of the Applicant, the real estate, the economics of the Development, the ability of the Applicant and the Development team to proceed, the evidence of need for affordable housing in order to determine that the Development meets the program requirements and determine a recommended SAIL, or HOME loan amount, Housing Credit allocation amount or a combined SAIL or HOME loan amount and Housing Credit Allocation amount, if any; and for any Development that has rehabilitation with or without acquisition, a capital needs assessment ('CNA') prepared in accordance with generally accepted industry investment grade standards as reflected in a competitive solicitation shall be ordered by the Credit Underwriter from a Corporation-approved CNA provider, and its findings shall be used to determine rehabilitation that will be carried out, including applicable energy, green, universal design and visitability features, and to set replacement reserves as outlined in paragraph (13)(b), below. Corporation funding will be based on appraisals of comparable developments, cost benefit analysis, and other documents evidencing justification of costs. As part of the credit underwriting review, the Credit Underwriter will consider the applicable provisions of rule Chapter 67-48, F.A.C.

(1) through (5) No change.

(6) In determining whether or not to provide a positive recommendation in connection with a proposed Development, the Credit Underwriter will consider the prior and recent performance history of the Applicant, Developer, any Financial Beneficiary of the Applicant or Developer, and the General Contractor in connection with any other ~~affordable housing~~ development. The performance history shall consider instances involving a foreclosure, deed in lieu of foreclosure, financial arrearage, or other event of material default in connection with any ~~affordable housing~~ development or the documents governing financing or operation of any such development.

(a) Unless the Credit Underwriter determines that mitigating factors exist, or that underwriting conditions can be

imposed, sufficient to mitigate or offset the risk, the existence of the following shall result in a negative recommendation of the proposed Development by the Credit Underwriter:

1. Considering all ~~affordable housing~~ developments in which any party named above has been involved, if:

a. During the period prior to August 1, 2010, 5 percent or more of that party's developments have been the subject of a foreclosure or deed in lieu of foreclosure, or in financial arrearage or other material default and such arrearage or material default remained uncured for a period of 60 days or more, or

b. During the period beginning on or after August 1, 2010, any of that party's developments have been the subject of a foreclosure or deed in lieu of foreclosure, or in financial arrearage or other material default and such arrearage or material default is uncured at the present or, if cured, remained uncured for a period of 60 days or more.

2. Mitigating factors to be considered by the Credit Underwriter, to the extent such information is reasonably available and verifiable, shall include the extent to which the party funded the operations of the development from that party's own funds in an attempt to keep the development afloat, the election by a party to forego financial participation in a development in an attempt to keep the development afloat, the party's satisfactory performance history over the last 10 years in connection with that party's ~~affordable housing~~ developments, and any other extenuating circumstances deemed relevant by the Credit Underwriter in connection with the party's involvement in a development.

(b) A negative recommendation may also result from the review of:

1. Financial capacity of an Applicant, Developer, any Financial Beneficiary of the Applicant or Developer, the General Contractor, and, for SAIL and HOME Applicants that have Housing Credits, the Housing Credit Syndicator, or

2. Any other relevant matters relating to an Applicant, Developer, any Financial Beneficiary of the Applicant or Developer, and the General Contractor if, in the Credit Underwriter's opinion, one or more members of the Development team do not possess the ability to proceed.

(7) through (14) No change.

(15) For SAIL and HOME, each general partner (whether individual or entity) or each manager/managing member (whether individual or entity), as applicable, of the Applicant shall provide a guarantee for completion of construction. In addition, one or more entities or individuals (other than a general partner or manager/managing member) having an ownership interest, either directly or indirectly, in the Applicant or in the general partner or managing member of the Applicant shall be required to provide guarantees or personal guarantees, as applicable, for completion of construction as recommended by the Credit Underwriter or as otherwise required by the Corporation. The Corporation shall consider the following when determining the need for additional construction completion guarantees based on the recommendations of the Credit underwriter:

(a) Liquidity of any guarantee provider.

(b) If applicable, Applicant's, Developer's and General Contractor's history in successfully completing Developments ~~of similar nature~~.

(c) If applicable, the past performance of the Applicant, Developer, General Contractor or any other guarantee provider in developing or constructing Developments financed by the Corporation or its predecessor.

(d) Percentage of the Corporation's funds utilized compared to Total Development Costs.

If, after evaluation of paragraphs (a)-(d), above, by the Corporation and the Credit Underwriter, it is determined that additional surety is needed, the Applicant will be required to provide a letter of credit or payment and performance bond.

(16) through (30) No change.

Rulemaking Authority 420.507, 420.508 FS. Law Implemented 420.5087, 420.5089, 420.5099 FS. History—New 2-7-05, Amended 1-29-06, 4-1-07, 3-30-08, 8-6-09, 11-22-11, 10-9-13, 10-8-14, 9-15-16, 5-24-17, 7-8-18, 7-11-19, 6-23-20, 5-18-21, 7-6-22, 6-28-23,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melissa Levy, Managing Director of Multifamily Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ryan Benson, Chairman of the Board, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 50, Number 95, May 14, 2024

Notice of Proposed Rulemaking
Rule Chapter 67-60, F.A.C.

Rule Nos.: Rule Titles
67-60.010: Funding Preferences

PURPOSE AND EFFECT: The purpose of this Rule Chapter is to establish the procedures by which the Corporation shall:

- (1) Administer the competitive solicitation funding process to make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, F.S., and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, F.S.;
- (2) Administer the competitive solicitation processes to implement the provisions of the Housing Credit (HC) Program authorized by Section 42 of the IRC and Section 420.5099, F.S.; and
- (3) Unless otherwise provided in the competitive solicitation, administer the competitive solicitation funding process for any other Corporation program.

The intent of this Rule Chapter is to encourage public-private partnerships to invest in residential housing; to stimulate the construction and rehabilitation of residential housing which in turn will stimulate the job market in the construction and related industries; and to increase and improve the supply of affordable housing in the state of Florida.

SUMMARY: The proposed Rule creates a formulated process for administering the competitive solicitation funding process for the Corporation's programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. The rule is not likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. In addition, the rule is not likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 420.507(12) FS.

LAW IMPLEMENTED: 420.507(48), 420.5087, 420.5089(2), 420.5099 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 23, 2024, beginning at 10:00 a.m., Eastern Time

PLACE: The hearing will take place by webinar and the instructions for accessing the webinar will be posted on the Corporation's website <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/current-rules-and-rule-development-process/2024-rule-development-process>. Interested parties may also attend in person at the offices of Florida Housing Finance Corporation, 227 N. Bronough Street, 6th Floor Seltzer Room, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Levy, Managing Director of Multifamily Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197.

THE FULL TEXT OF THE PROPOSED RULE IS:

67-60.010 Funding Preferences.

(1) through (2) No change.

(3) The Corporation may establish other funding priorities as deemed appropriate for a competitive program or solicitation. However, for any competitive solicitation the Corporation must establish eligibility requirements designed to encourage Applicants with a broad range of development, financing, and management experience to respond to the competitive solicitation and compete for the funding being made available. Therefore, in any competitive solicitation the Corporation shall establish eligibility requirements that:

(a) Demonstrate the Applicant and Principals have experience with development financing of comparable complexity to that outlined in the competitive solicitation, but not limit experience to a specific financing program.

(b) Demonstrate that the statutory and regulatory requirements for all funding sources can be met, regardless of whether or not an Applicant seeks low-income housing tax credits or private activity bond allocation.

(c) Demonstrate successful completion of at least one development of similar type and size for which the Applicant is requesting funding.

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(47), (48), (49), 420.5087, 420.5089(2), 420.5099 FS. History—New 10-8-14, Repromulgated 9-15-16, 7-8-18, Repromulgated 7-6-22, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melissa Levy, Managing Director of Multifamily Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ryan Benson, Chairman of the Board, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850) 488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 50, Number 95, May 14, 2024

REQUEST FOR QUALIFICATIONS (RFQ) 2024-05

ENVIRONMENTAL ENGINEERING/CONSULTING SERVICES

for

FLORIDA HOUSING FINANCE CORPORATION

April 22, 2024

SECTION ONE
INTRODUCTION

Florida Housing Finance Corporation (“Florida Housing”) is soliciting competitive, sealed responses from qualified firms to provide environmental engineering/consulting services in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ), and any other term and condition in any contract subsequently awarded. Respondents will be selected and determined through Florida Housing’s review of each response, considering the factors identified in this RFQ. Florida Housing expects to select one or more Respondents that propose to provide all of the services specified in this RFQ.

SECTION TWO
DEFINITIONS

For purposes of this document, the following terms will be defined as follows:

“Board”	The Board of Directors of Florida Housing Finance Corporation.
“CDBG-DR”	Community Development Block Grant – Disaster Recovery grant funds appropriated by Congress and allocated by HUD to rebuild disaster-impacted areas and provide crucial seed money to start the long-term recovery process.
“Committee”	The review committee composed only of employees of Florida Housing that is established pursuant to Rule 67-49.007, Fla. Admin. Code.
“Contractor”	A person or entity providing the professional services described in Section Four of this RFQ.
“Days”	Calendar days, unless otherwise specified.
“Developer”	Individual or Legal Entity which has proposed the project to be built.
“Effective Date”	The date the last party signs the contract that is awarded as a result of this RFQ.
“Environmental Review”	The process of reviewing a project and its potential environmental impacts to determine whether it meets federal, state, and local environmental standards. The environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or

health effect on end users. Not every project is subject to a full environmental review (i.e., every project's environmental impact must be examined, but the extent of this examination varies), but every project must be in compliance with the National Environmental Policy Act (NEPA), and other related Federal and state environmental laws.

“Environmental Review Record” or “ERR”	This record contains the description and documentation of all activities that are part of the project and an evaluation of the effects of the project on the human environment and vice versa as required by the Environmental Review.
“Florida Housing”	Florida Housing Finance Corporation, a public corporation and public body corporate and politic created by Section 420.504, Fla. Stat.
“HOME”	The HOME Investment Partnerships Program that Florida Housing administers pursuant to United States Department of Housing and Urban Development Regulations, 24 CFR Part 92, and the Homeownership Loan Program and the HOME Rental Program that Florida Housing administers pursuant to Sections 420.507 and 420.5089, Fla. Stat., and Fla. Admin. Code Rule Chapters 67-50 and 67-48.
“HUD”	The United States Department of Housing and Urban Development.
"HUD Risk Sharing Program"	The program authorized by Section 542(c) of the Housing and Community Development Act of 1992, (12 U.S.C. 1707) which is adopted and incorporated herein by reference.
“NHTF”	The National Housing Trust Fund, established under Title I of the Housing and Economic Recovery Act of 2008, Section 1131.
“NEPA”	The National Environmental Policy Act of 1969, as amended.
“Respondent”	Any person or entity who has the capability in all respects to perform fully the requirements contained in this RFQ, and submits a response to this RFQ.
“Response”	The written submission by a Respondent to this RFQ.

“RFQ”	This RFQ, including all exhibits referenced in this document and all other documents incorporated by reference.
“RROF”	Request for Release of Funds: Refers to Florida Housing’s request for HUD to release funds for the purpose intended. Executed through HUD Form 7015.15 (Request for Release of Funds and Certification).
“Website”	The Florida Housing Finance Corporation website, the URL of which is www.floridahousing.org .

SECTION THREE
PROCEDURES AND PROVISIONS

A. Respondents will submit their Response to:

<https://www.floridahousing.org/legal/procurements/RFQ-2024-05-Document-Upload>

Florida Housing must receive the entire Response on or before 2:00 p.m., Eastern Time, on May 22, 2024, as Responses will be opened at that time. Any Responses received after the deadline will be considered non-responsive. One complete copy of the response in PDF format is preferred, unless specified otherwise in Section Six below, and the file name ought to contain a reference to both the solicitation number (RFQ 2024-05) and the name of the Respondent. Please note that the site will ask for the Respondent's contact information and the solicitation number prior to being able to upload the Response. Florida Housing will not accept a mailed or faxed Response.

B. This RFQ does not commit Florida Housing to award a contract to any Respondent or to pay any costs incurred in the preparation or mailing of a Response.

C. All services under the contract awarded are to be performed solely by the Contractor, unless subcontracted or assigned with the prior written approval and consent of Florida Housing.

D. Florida Housing reserves the right to:

1. Waive minor deficiencies and informalities;
2. Accept or reject any or all Responses received as a result of this RFQ;
3. Obtain information concerning any or all Respondents from any source;
4. Request an oral interview before the Board from any or all Respondents;
5. Select for contract negotiation or for award a Response other than (or in addition to) that with the highest score in order to serve the best interests of Florida Housing and the public; and

6. Negotiate with the successful Respondent with respect to any additional terms or conditions of the contract.

E. Any interested party may submit any question regarding this RFQ in writing via e-mail to the Contract Administrator at Contract.Admin@floridahousing.org. All questions must be submitted no later than 2:00 p.m., Eastern Time, on May 8, 2024. Phone calls will not be accepted. Florida Housing expects to respond to all questions in writing by 5:00 p.m., Eastern Time, on May 15, 2024. Florida Housing will post a copy of all questions received and the corresponding answers on Florida Housing's website at:

<http://www.floridahousing.org/legal/procurements/request-for-qualifications>.

Only written responses or statements from the Contract Administrator that are posted on our website will bind Florida Housing. No other means of communication, whether oral or written, may be construed as an official response or statement from Florida Housing.

F. Between the release of the solicitation and the end of the 72-hour period following the posting of the notice of intended award, respondents to this solicitation or persons acting on their behalf may not contact any member of Florida Housing's Board of Directors or any Florida Housing employee concerning any aspect of this solicitation, except in writing to the Contract Administrator. Violation of this provision may be grounds for rejecting a response.

G. Any person who wishes to protest the specifications of this RFQ must file a protest in compliance with Section 120.57(3), Fla. Stat., and Rule Chapter 28-110, Fla. Admin. Code. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., will constitute a waiver of proceedings under Chapter 120, Fla. Stat.

H. The term of the contract will be for three years, subject to satisfactory performance at the sole discretion of Florida Housing. If the parties mutually agree in writing, the contract may be renewed once for an additional three years.

I. Florida Housing is not required to use the services of any selected Contractor or to assign any work to such provider, and may terminate the contract with any selected Contractor without cause and without penalty.

J. Pursuant to Rule 67-49.004, Fla. Admin. Code, Florida Housing may modify the terms of the RFQ at any point prior to the due date for Responses. A notice of such modification will be posted on Florida Housing's Website. Any Respondent will have at least seven days from the date of the posting of the notice of the modification to submit or modify its Response.

K. The terms of this RFQ, and any modifications thereto, will be incorporated into any contract offered as a result of this RFQ. Failure of a successful Respondent to accept these obligations in the final contract may result in cancellation of the award.

L. By submitting a Response to this RFQ, the Respondent agrees that any resulting contracts or agreements (and any attachments, exhibits, and amendments) may be executed and delivered by electronic signatures. As used herein, the term “electronic signatures” shall have the meaning in Section 668.50, Fla. Stat.

SECTION FOUR **SCOPE OF SERVICES**

The Contractor shall perform an Environmental Review of Developments and applicable activities assigned by Florida Housing and assist Florida Housing’s Program staff in the identification and evaluation of the likely impacts of the Developments on the environment. The Contractor shall also ensure that the requirements of HUD, NEPA, Florida Statutes, and Florida Administrative Code are met for all reviews by performing at least the following functions:

A. Completing a thorough Environmental Review Record on Developments as required by HUD pursuant to 24 CFR Part 58 for the HOME and CDBG-DR programs, and 24 CFR § 93.301(f)(1) for the NHTF program.

B. Review and evaluate new or existing Developments for:

1. Compliance with applicable federal, state, and local land development and environmental regulations, including 2 CFR Appendix II to Part 200 - Contract Provision for Non-Federal Entity Contract Under Federal Awards;

2. Site performance issues related to proximity to potable water, wastewater services, and roads, and compatibility with adjacent site uses;

3. Impact on the environment as documented in letters and responses received through the Florida State Clearinghouse; and

4. Impact on the environment as documented in an Executive Summary required for each Environmental Review Record to include, but not limited to, comments on endangered species, noise analysis, and public safety, police and fire mitigation.

C. Review site and related features, and determine impact on the environment, including but not limited to:

1. Floodplain management;
2. Coastal barrier resources;
3. Coastal zone management;
4. Historic preservation;
5. Noise abatement;
6. Hazardous industrial operations;
7. Airport zones;
8. Protection of wetlands;
9. Management of toxic chemicals and radioactive materials;

10. Endangered species;
11. Sole source aquifers;
12. Wild and scenic rivers;
13. Farmlands protection;
14. Flood insurance;
15. Unique natural features and areas;
16. Site suitability, access and compatibility with surrounding developments;
17. Soil stability, erosion and drainage;
18. Nuisances and hazards;
19. Water supply, sanitary sewers and solid waste disposal;
20. Schools, parks, recreation and social services;
21. Emergency health care, fire and police services;
22. Commercial/retail and transportation; and
23. Mitigation measures required.

D. Prepare all notices or advertisements required for compliance with applicable regulations and submit to appropriate publication(s) after approval by Florida Housing. The awarded Contractor will provide the Affidavit of Publication to Florida Housing as soon as its available.

E. Advise Florida Housing and/or the Developer of the Project of any environmental impacts, special conditions, or development issues that become known to the Contractor during the Environmental Review process.

F. Prepare RROF documents for submission to HUD, if required.

G. Utilize all of HUD's resources for compliance with all environmental provisions including any databases or programs that may be required for submission.

H. Provide support services to Florida Housing as necessary during the submittal, review, design and construction phase of the Development.

I. Implement, coordinate, and/or assist in completing the 8-Step Flood Plain Decision-Making process per 24 CFR § 55.20 and Executive Order 11988.

SECTION FIVE

CERTIFICATION

Do not reproduce the language of Section Five in the Response. By inclusion and execution of the statement provided in Section Six of this RFQ, each Respondent certifies that:

A. The Respondent submits this Response without prior understanding, agreement, or connection with any person or entity submitting a separate Response for the same services. However, any agreement with a person or entity with whom the Response is jointly filed and such joint filing is made clear on the face of the Response will be an exception so long as the Response is in all respects fair and without collusion or fraud.

B. Any material submitted in response to this RFQ is a public record pursuant to Chapter 119, Fla. Stat., and subject to examination upon request, but only after Florida Housing provides a notice of decision pursuant to Section 120.57(3), Fla. Stat., or within 30 days after the Response is opened, whichever is earlier.

C. The Respondent, if awarded a contract under this RFQ, will comply with Section 420.512(5), Fla. Stat. For the purpose of Section 420.512(5), Fla. Stat., “Prohibited Business Solicitation Communications” is defined by Section 420.503(34), Fla. Stat.

D. The Respondent further affirms it is in compliance with Section 420.512(5)(c), Fla. Stat.

E. The Respondent is in compliance with Section 287.133(2)(a), Fla. Stat.

F. The Respondent is in compliance with Section 448.095, Fla. Stat.

G. The Respondent understands and agrees to cooperate with any audits conducted in accordance with the provisions set forth in Section 20.055(5), Fla. Stat.

H. The Respondent attests, under penalty of perjury, that it does not meet any of the criteria in Section 287.138(2)(a) – (c), Fla. Stat.

I. Pursuant to Section 119.0701(2)(b), Fla. Stat., the Respondent, if awarded a contract under this RFQ, will be required to comply with public records laws, specifically to:

1. Keep and maintain public records required by Florida Housing to perform the service.

2. Upon request from Florida Housing’s custodian of public records, provide Florida Housing with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.

3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to Florida Housing.

4. Upon completion of the contract, transfer, at no cost, to Florida Housing all public records in possession of the contractor or keep and maintain public records required by Florida Housing to perform the service. If the contractor transfers all public records to Florida Housing upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to Florida Housing, upon request from Florida Housing’s custodian of public records, in a format that is compatible with Florida Housing’s information technology systems.

If the Contractor has questions regarding the application of Chapter 119, Florida Statutes, to the Contractor's duty to provide public records relating to this contract, contact the Corporation Clerk at:

Corporation Clerk
227 N. Bronough Street, Suite 5000
Tallahassee, Florida 32301-1329
Phone: 850.488.4197
E-mail: Corporation.Clerk@floridahousing.org

Notwithstanding anything contained herein to the contrary, the provisions and requirements of this paragraph will only apply if and when the Contractor is acting on behalf of Florida Housing.

J. The Respondent acknowledges that if awarded a contract it will be prohibited from engaging in activities in connection with services related to Florida Housing transactions that produce direct or indirect financial gain for the Respondent other than for the compensation agreed upon in the contract that results from this RFQ, unless that Respondent has Florida Housing's written consent after Florida Housing has been fully informed of such activities in writing.

K. The Respondent acknowledges that if awarded a contract it will be prohibited from engaging in any actual, apparent, or potential conflict of interest. Should any such actual, apparent, or potential conflict of interest come into being subsequent to the effective date of the contract and prior to the conclusion of the contract, the Respondent will provide written notification (Notice of Conflict of Interest) to Florida Housing's Contract Administrator within 10 working days for review by Florida Housing's Executive Director in consultation with the Ethics Officer. If the Respondent is found to be in non-compliance with this provision, any compensation received in connection with this contract will be subject to forfeiture to Florida Housing.

L. The Respondent, in submitting this Response, acknowledges and agrees that the terms and conditions of this RFQ, as well as any modifications thereto, will be incorporated into any contract offered as a result of this RFQ.

M. CERTIFICATION STATEMENT:

FAILURE TO INCLUDE THE CERTIFICATION STATEMENT LOCATED IN SECTION SIX OF THIS RFQ BEARING AN ORIGINAL SIGNATURE WILL RESULT IN REJECTION OF THE RESPONSE.

SECTION SIX
INFORMATION TO BE PROVIDED IN RESPONSE

In providing the following information, restate each item and sub-item (with its letter and number), and limit your Response to one PDF to be uploaded. Responses to the items must be included immediately after the restated items without any reference to any appendix or exhibits unless such items are explicitly requested within this section. Any information provided in an

appendix or exhibit that has not been explicitly requested separately in that format will not be reviewed or scored.

A. COVER LETTER

Each proposal must be accompanied by a cover letter that contains a general statement of the purpose of submission and includes the following information.

1. The name, job title, address, office and cellular telephone numbers, and e-mail address of a primary contact person, who will be responsible for day-to-day contact with Florida Housing, and any backup personnel who would be accessible if the primary contact cannot be reached.
2. Legal business status (individual, partnership, corporation, etc.), address, and telephone number of the Respondent.

B. GENERAL INFORMATION

1. Provide documentation to show that the Respondent is authorized to do business in the State of Florida.
2. Provide a brief history of the Respondent's firm, including the year organized, ownership, affiliated companies and relationships, and the total number of employees.
3. Describe the Respondent's presence in Florida, and ability to be accessible to Florida Housing staff, availability for meetings, conferences, consultation, etc.
4. Provide proof of comprehensive general liability insurance, including contractual liability and worker's compensation as required by law.
5. State whether the Offeror has ever been debarred or suspended by HUD. If so, provide relevant dates, charges, determinations, settlements and lengths of any debarment or suspension.
6. Provide a statement of any other qualifications or services, which the Respondent considers to be significant, innovative or otherwise relevant to Florida Housing.

C. EXPERIENCE AND RESOURCES

1. Describe the Respondent's experience providing the services or engaging in activities as they relate to the work being requested in Section Four of this RFQ, including the Offeror's experience with the compilation, drafting, and submission of Environmental Review Records as required by HUD to include a description of the following:
 - a. Type of report(s) submitted;
 - b. Length of time to complete a single report;

c. What is done when a Finding of Significant Impact is noted on a particular development;

d. Experience in contacting and compiling responses from the Florida State Clearinghouse;

e. Experience in completing the 8-Step Flood Plain Decision-Making process;

f. Experience in contacting and compiling responses from state and local authorities, i.e., State Historical Preservation Board, local police, fire and ambulance services; and

g. Experience in contacting and compiling responses on endangered species analysis, noise analysis, proximity to airport and military bases, etc.

2. Describe the Respondent's ability to provide the services requested in Section Four of this RFQ immediately upon award of the contract.

3. Provide an organizational chart and an overview of no more than five of the key individuals (team members) proposed to be assigned to Florida Housing's account. The overview shall include the following information for each individual:

a. Name of individual, title and role on this engagement;

b. Office street address, e-mail address, and office and cellular telephone numbers;

c. Total years' experience with this Respondent and other entities, and a list of various roles and/or duties;

d. Specific qualifications and expertise; and

e. A description of the individuals' educational and professional accomplishments.

4. Provide information about staffing levels in the required areas as they relate to the services to be performed and other resources that shall be needed to complete the services requested in Section Four of this RFQ.

D. WORK PLAN FOR SCOPE OF SERVICES

Provide a detailed implementation action plan and include a detailed timeline consistent with the program production needs, reflecting tentative dates for each phase of review required.

E. FEE

1. Provide one proposed flat fee to be charged in connection with the services described in Section Four of this RFQ. The fee proposed must include charges relating to the

services required under the contract and all out-of-pocket expenses, such as telephone, postage and shipping, printing and/or copy costs, and travel, if any. Florida Housing will only reimburse fees for the required advertisements upon submission of approved invoices and supporting documentation.

FINAL FEE SCHEDULE WILL BE SUBJECT TO NEGOTIATION.

F. DRUG-FREE WORKPLACE

If the Respondent has implemented a drug-free workplace program, the Respondent must submit the following certification indicating that it meets all of the requirements of Section 287.087, Fla. Stat.:

I hereby certify on behalf of the Respondent, under the terms of RFQ 2024-05, that the Respondent has implemented a drug-free workplace program pursuant to Section 287.087, Fla. Stat.

Authorized Signature: _____

Print Name: _____

Print Title: _____

G. MINORITY BUSINESS ENTERPRISE

If the Respondent is a minority business enterprise as defined in Section 288.703, Fla. Stat., the Respondent must submit the following certification:

I hereby certify on behalf of the Respondent, under the terms of RFQ 2024-05, that the Respondent is a “minority business enterprise” as defined in Section 288.703(3), Fla. Stat.

Authorized Signature: _____

Print Name: _____

Print Title: _____

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H. CERTIFICATION (Mandatory Item)

THE FOLLOWING WILL BE REPEATED IN THE RESPONDENT’S RESPONSE AND SIGNED BY AN INDIVIDUAL AUTHORIZED TO BIND THE RESPONDENT. THIS IS A MANDATORY ITEM. FAILURE TO INCLUDE THE CERTIFICATION STATEMENT BEARING AN ORIGINAL SIGNATURE, EXACTLY AS STATED AND WITHOUT ANY ADDITIONS, DELETIONS OR CAVEAT LANGUAGE, WILL RESULT IN REJECTION OF THE RESPONSE.

“I agree to abide by all conditions of RFQ 2024-05 and certify that all information provided in this Response is true and correct, that I am authorized to sign this Response as the Respondent and that I am in compliance with all requirements of the RFQ, including but not limited to, the certification requirements stated in Section Five of this RFQ.”

Authorized Signature (Original)

Print Name and Title

**SECTION SEVEN
EVALUATION PROCESS**

The individual Committee members will independently evaluate the Responses by reviewing the answers to each of the items identified in Section Six of this RFQ and assigning points up to the maximum points allowed for each item. The points available for items in Section Six are to be evaluated are as follows:

<u>Item Reference</u>	<u>Maximum Points</u>
B. General Information.....	20
C. Experience and Resources	30
D. Work Plan for Scope of Services	30
E. Fee	20
Total Points Available.....	100

For the Fees, the Respondent with the lowest proposed total cost will receive the maximum allowable points (20 points). The remaining respondents will receive a percentage of the maximum points, rounded to the nearest whole number, based on the following formula:

Lowest Proposed Total Cost	=	%	x	20	=	Total Points Awarded for that “Total Cost” (Rounded to the nearest whole number)
÷ Current Respondent’s Proposed Total Cost						

In the event of a tie, Florida Housing will give preference in the award process to the Response certifying a drug-free workplace has been implemented in accordance with Section 287.087, Fla. Stat. If a tie continues to exist, Florida Housing will give preference to minority business enterprises as defined in Section 288.703, Fla. Stat.

The Committee will conduct one or more public meetings during which members will discuss their evaluations and develop a recommendation or series of recommendations to the Board. The Committee's recommendation will be based on the cumulative scoring and information gathered from the non-scored items. The Board may use the Responses, the Committee's scoring, the non-scored items in the Responses, any other information or recommendation provided by the Committee or staff, and any other information the Board deems relevant in its selection of Respondents to whom to award a contract. ¹

SECTION EIGHT **AWARD PROCESS**

Florida Housing will provide notice of its decision, or intended decision, for this RFQ 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. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat. or failure to post the bond or other security required by law within the time allowed for filing a bond will constitute a waiver of proceedings under Chapter 120, Fla. Stat.

¹ Pursuant to s. 287.05701 Fla. Stat., Florida Housing may not request documentation of or consider a vendor's social, political, or ideological interest when determining if the vendor is a responsible vendor. Additionally, Florida Housing may not give preference to a vendor based on the vendor's social, political, or ideological interests.

RFQ 2024-05 - Environmental Engineering/Consulting Services

		Arcadis U.S., Inc. ★				Professional Service Industries, Inc. ★				SWCA Environmental Consultants				Terracon Consultants, Inc. ★			
SECTION SIX ITEM REFERENCE	Max Score	Donna	Amanda	David	Total	Donna	Amanda	David	Total	Donna	Amanda	David	Total	Donna	Amanda	David	Total
B. General Information	20	20	18	20	58	20	19	20	59	20	20	20	60	20	20	20	60
C. Experience and Resources	30	30	30	27	87	30	28	30	88	28	30	22	80	30	30	20	80
D. Work Plan for Scope of Services	30	30	30	30	90	30	29	30	89	30	30	22	82	30	30	30	90
E. Fee	20	17	17	17	51	20	20	20	60	12	12	12	36	19	19	19	57
TOTAL POINTS	100	97	95	94	286	100	96	100	296	90	92	76	258	99	99	89	287
A. Cover Letter	Y/N	Y	Y	Y		Y	Y	Y		Y	Y	Y		Y	Y	Y	
F. Drug-Free Workplace	Y/N	Y	Y	Y		Y	Y	Y		Y	Y	Y		Y	Y	Y	
G. Minority Business Enterprise	Y/N	N	N	N		Y	Y	Y		N	N	N		N	N	N	
H. Certification	Y/N	Y	Y	Y		Y	Y	Y		Y	Y	Y		Y	Y	Y	

INVITATION TO BID (ITB) 2024-07

PRINTING AND ELECTRONIC DISTRIBUTION OF OFFICIAL STATEMENTS

for

FLORIDA HOUSING FINANCE CORPORATION

April 29, 2024

SECTION ONE
INTRODUCTION

Florida Housing Finance Corporation (“Florida Housing”) is soliciting competitive, sealed Bids from qualified firms to provide official statement printing in accordance with the terms and conditions set forth in this Invitation to Bid (ITB), and any other term and condition in any contract subsequently awarded.

SECTION TWO
DEFINITIONS

For purposes of this document, the following terms will be defined as follows:

“Bid”	The written submission by the Bidder to this ITB.
“Bidder”	Any person or entity who has the capability in all respects to perform fully the requirements contained in this ITB, and submits a Bid to this ITB.
“Board”	The Board of Directors of Florida Housing Finance Corporation.
“Committee”	The review committee composed only of employees of Florida Housing that is established pursuant to Rule 67-49.007, Fla. Admin. Code.
“Contractor”	A person or entity providing the professional services described in Section Four of this ITB.
“Days”	Calendar days, unless otherwise specified.
“Effective Date”	The date the last party signs the contract that is awarded as a result of this ITB.
“EMMA”	The Electronic Municipal Market Access system.
“Florida Housing”	Florida Housing Finance Corporation, a public corporation and public body corporate and politic created by Section 420.504, Fla. Stat.
“ITB”	This ITB, including all exhibits referenced in this document and all other documents incorporated by reference.
“Official Statement”	A final official statement, as defined in 17 CFR 240.15c2-12, paragraph (f)(3).

“Preliminary Official Statement” A preliminary version of the Official Statement.

“Website” The Florida Housing Finance Corporation website, the URL of which is www.floridahousing.org.

SECTION THREE

PROCEDURES AND PROVISIONS

A. Bidders will submit their Bid to:

<https://www.floridahousing.org/legal/procurements/ITB-2024-07-Document-Upload>

Florida Housing must receive the entire Bid on or before 2:00 p.m., Eastern Time, on June 4, 2024, as Bids will be opened at that time. Any Bids received after the deadline will be considered non-responsive. One complete copy of the Bid in PDF format is preferred, unless specified otherwise in Section Six below, and the file name ought to contain a reference to both the solicitation number (ITB 2024-07) and the name of the Respondent. Please note that the site will ask for the Bidder's contact information and the solicitation number prior to being able to upload the Bid. Florida Housing will not accept a mailed or faxed Bid.

A. This ITB does not commit Florida Housing to award a contract to any Bidder or to pay any costs incurred in the preparation or mailing of a Bid.

B. All services under the contract awarded are to be performed solely by the Contractor, unless subcontracted or assigned with the prior written approval and consent of Florida Housing.

C. Florida Housing reserves the right to:

1. Waive minor irregularities;
2. Accept or reject any or all Bids received as a result of this ITB;
3. Obtain information concerning any or all Bidders from any source; and
4. Negotiate with the successful Bidder with respect to any additional terms or conditions of the contract.

D. Any interested party may submit any question regarding this ITB in writing via e-mail to the Contract Administrator at Contract.Admin@floridahousing.org. All questions must be submitted no later than 2:00 p.m., Eastern Time, on May 15, 2024. Phone calls will not be accepted. Florida Housing expects to respond to all questions in writing by 5:00 p.m., Eastern Time, on May 22, 2024. Florida Housing will post a copy of all questions received and the corresponding answers on Florida Housing's website at:

<http://www.floridahousing.org/legal/procurements/invitations-to-bid>.

Only written responses or statements from the Contract Administrator that are posted on Florida Housing’s website will be considered binding. No other means of communication, whether oral or written, may be construed as an official response or statement from Florida Housing.

E. Between the release of the solicitation and the end of the 72-hour period following the posting of the notice of intended award, Bidders to this solicitation or persons acting on their behalf may not contact any member of Florida Housing’s Board of Directors or any Florida Housing employee concerning any aspect of this solicitation, except in writing to the Contract Administrator. Violation of this provision may be grounds for rejecting a Bid.

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

G. The term of the contract will be for three years, subject to satisfactory performance at the sole discretion of Florida Housing. If the parties mutually agree in writing, the contract may be renewed once for an additional three years.

H. Florida Housing is not required to use the services of any selected Contractor or to assign any work to such provider, and may terminate the contract with any selected Contractor without cause and without penalty.

I. Pursuant to Rule 67-49.004, Fla. Admin. Code, Florida Housing may modify the terms of the ITB at any point prior to the due date for Bids. A notice of such modification will be posted on Florida Housing’s Website. Any Bidder will have at least seven days from the date of the posting of the notice of the modification to submit or modify its Bid.

J. The terms of this ITB, and any modifications thereto, will be incorporated into any contract offered as a result of this ITB. Failure of a successful Bidder to accept these obligations in the final contract may result in cancellation of the award.

K. By submitting a Response to this ITB, the Respondent agrees that any resulting contracts or agreements (and any attachments, exhibits, and amendments) may be executed and delivered by electronic signatures. As used herein, the term “electronic signatures” shall have the meaning in Section 668.50, Fla. Stat.

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L. DRUG-FREE WORKPLACE

If the Bidder has implemented a drug-free workplace program, the Bidder must submit the following certification indicating that it meets all of the requirements of Section 287.087, Fla. Stat.:

I hereby certify on behalf of the Bidder, under the terms of ITB 2024-07, that the Bidder has implemented a drug-free workplace program pursuant to Section 287.087, Fla. Stat.

Authorized Signature: _____

Print Name: _____

Print Title: _____

M. MINORITY BUSINESS ENTERPRISE

If the Bidder is a minority business enterprise as defined in Section 288.703, Fla. Stat., the Bidder must submit the following certification:

I hereby certify on behalf of the Bidder, under the terms of ITB 2024-07, that the Bidder is a “minority business enterprise” as defined in Section 288.703(3), Fla. Stat.

Authorized Signature: _____

Print Name: _____

Print Title: _____

SECTION FOUR
SCOPE OF SERVICES

A. The production requirements that the Contractor shall perform for each bond issue include, but are not limited to, the following:

1. Quantity: Generally no more than 20 Preliminary Official Statements and no more than 100 Final Official Statements (subject to change with each bond issue);
2. First class/Overnight delivery: May be required.
3. Posting: Electronic Posting of Preliminary Official Statements and Final Official Statements.
4. Notification: Preliminary Official Statements and/or Final Official Statements sent via email by the Contractor to up to 300 email addresses.
5. Stock: Four to six pages insert, if required, plus cover: 60lb. #1 white offset. Inside pages: 40 lb. Opaque vellum finish offset.
6. Size: Finished to approximately 8-1/2” x 11”.

7. Pages: Approximately 168 per book. However, this quantity may vary.
8. Ink: Two colors – red and black. (Occasionally there may be a map or logo included with a third color.) Text – black. Cover – black and red (Preliminary Official Statement only).
9. Printing: For any required hard copies, the majority of pages will be printed front and back, including the cover. All printed matter (digital or hard copy) may consist of the following camera-ready material: pictures, drawings, maps and charts, tabular matter and straight printing. Typesetting will be primarily 9 and 10 point, according to industry standards. Preliminary Official Statement will have a 2-color (black and red) cover and all text pages black ink. Final Official Statement cover and text will be black. On occasion, a 3-color page may be required.
10. Typesetting: The majority of each Official Statement will consist of camera-ready pages. The balance will be typeset by the Contractor from pages supplied by Florida Housing. In some instances, Florida Housing may supply the Contractor with all camera-ready pages for the Preliminary Official Statement.
11. Proofs: Sets of proofs from the first draft of the Official Statement will be required to be delivered as directed by Florida Housing within three working days after receipt of draft copy, unless Florida Housing shall request earlier delivery as provided for herein. All revisions shall be delivered as directed by Florida Housing no more than two working days after notification of any changes provided to the vendor, unless Florida Housing shall request earlier delivery as provided for herein. Corrections of Contractor errors shall be at the Contractor's expense.
12. Binding: Official Statements shall be firmly saddle-stitched with no less than two stitches and trimmed with no ragged edges to approximately 8-1/2" x 11". Perfect binding may be required for some Official Statements.
13. Delivery: After Florida Housing, or its agents, has received and approved proofs; the Contractor shall:
 - a. Prepare statements as secured PDF Files, complete with bookmarks;
 - b. Distribute electronically using e-mail links;
 - c. Track download activity;
 - d. Post online to the Contractor's website
 - e. File with EMMA and Continuing Disclosure on an annual basis; and
 - f. Allow for digitally signed Official Statements.

Based on the past five years of activity, Florida Housing anticipates ten or fewer bond issues annually throughout the term of the Contract. Amount of bond issues will be determined by the market and Florida Housing.

B. Shipping: All shipping will be billed at cost and there will be no handling fees.

C. Additions/Upgrades/Deletions: During the term of the Contract resulting from this ITB, Florida Housing shall have the right to add, delete, and/or modify (e.g., upgrade) services/products upon mutual written agreement. If the Contractor has newer technology, Florida Housing may exercise the right to upgrade to that technology.

D. Defective Items: Any or all items delivered to Florida Housing that do not meet the specifications outlined in this section, or that are found to be defective will not be accepted, and such items will be corrected by the Contractor **at the Contractor's expense**.

SECTION FIVE CERTIFICATION

Do not reproduce the language of Section Five in the Bid. By inclusion and execution of the statement provided in Section Six of this ITB, each Bidder certifies that:

A. The Bidder submits this Bid without prior understanding, agreement, or connection with any person or entity submitting a separate Bid for the same services. However, any agreement with a person or entity with whom the Bid is jointly filed and such joint filing is made clear on the face of the Bid will be an exception so long as the Bid is in all respects fair and without collusion or fraud.

B. Any material submitted in response to this ITB is a public record pursuant to Chapter 119, Fla. Stat., and subject to examination upon request, but only after Florida Housing provides a notice of decision pursuant to Section 120.57(3), Fla. Stat., or within 30 days after the Bid is opened, whichever is earlier.

C. The Bidder, if awarded a contract under this ITB, will comply with Section 420.512(5), Fla. Stat. For the purpose of Section 420.512(5), Fla. Stat., "Prohibited Business Solicitation Communications" is defined by Section 420.503(34), Fla. Stat.

D. The Bidder further affirms it is in compliance with Section 420.512(5)(c), Fla. Stat.

E. The Bidder is in compliance with Section 287.133(2)(a), Fla. Stat.

F. The Bidder is in compliance with Section 448.095, Fla. Stat.

G. The Bidder understands and agrees to cooperate with any audits conducted in accordance with the provisions set forth in Section 20.055(5), Fla. Stat.

H. The Bidder attests, under penalty of perjury, that it does not meet any of the criteria in Section 287.138(2)(a) – (c), Fla. Stat.

I. Pursuant to Section 119.0701(2)(b), Fla. Stat., the Respondent, if awarded a contract under this RFQ, will be required to comply with public records laws, specifically to:

1. Keep and maintain public records required by Florida Housing to perform the service.
2. Upon request from Florida Housing’s custodian of public records, provide Florida Housing with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to Florida Housing.
4. Upon completion of the contract, transfer, at no cost, to Florida Housing all public records in possession of the contractor or keep and maintain public records required by Florida Housing to perform the service. If the contractor transfers all public records to Florida Housing upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to Florida Housing, upon request from Florida Housing’s custodian of public records, in a format that is compatible with Florida Housing’s information technology systems.

If the Contractor has questions regarding the application of Chapter 119, Florida Statutes, to the Contractor’s duty to provide public records relating to this contract, contact the Corporation Clerk at:

Corporation Clerk
227 N. Bronough Street, Suite 5000
Tallahassee, Florida 32301-1329
Phone: 850.488.4197
E-mail: Corporation.Clerk@floridahousing.org

Notwithstanding anything contained herein to the contrary, the provisions and requirements of this paragraph will only apply if and when the Contractor is acting on behalf of Florida Housing.

J. The Bidder acknowledges that if awarded a contract it will be prohibited from engaging in activities in connection with services related to Florida Housing transactions that produce direct or indirect financial gain for the Bidder other than for the compensation agreed upon in the contract that results from this ITB, unless that Bidder has Florida Housing’s written consent after Florida Housing has been fully informed of such activities in writing.

K. The Bidder acknowledges that if awarded a contract it will be prohibited from engaging in any actual, apparent, or potential conflict of interest. Should any such actual, apparent, or potential

conflict of interest come into being subsequent to the effective date of the contract and prior to the conclusion of the contract, the Respondent will provide written notification (Notice of Conflict of Interest) to Florida Housing’s Contract Administrator within 10 working days for review by Florida Housing’s Executive Director in consultation with the Ethics Officer. If the Respondent is found to be in non-compliance with this provision, any compensation received in connection with this contract will be subject to forfeiture to Florida Housing.

L. The Bidder agrees that the submitted Bid will be valid and binding for a period of 180 days following the Bid opening date.

M. The Bidder, in submitting this Bid, acknowledges and agrees that the terms and conditions of this ITB, as well as any modifications thereto, will be incorporated into any contract offered as a result of this ITB.

N. CERTIFICATION STATEMENT:

THE FOLLOWING WILL BE REPEATED IN THE RESPONDENT’S RESPONSE AND SIGNED BY AN INDIVIDUAL AUTHORIZED TO BIND THE RESPONDENT. THIS IS A MANDATORY ITEM. FAILURE TO INCLUDE THE CERTIFICATION STATEMENT BEARING AN ORIGINAL SIGNATURE, EXACTLY AS STATED AND WITHOUT ANY ADDITIONS, DELETIONS OR CAVEAT LANGUAGE, WILL RESULT IN REJECTION OF THE RESPONSE.

“I agree to abide by all conditions of ITB 2024-07 and certify that all information provided in this Bid is true and correct, that I am authorized to sign this Bid as the Bidder and that I am in compliance with all requirements of the ITB, including but not limited to, the certification requirements stated in Section Five of this ITB.”

SECTION SIX
MANDATORY BID PRICE FORM

Product Description	Quantity		Unit Price	Total	
Preliminary Official Statements 168 pages, 8½ x 11, perfect bound	20	x		\$	A
Official Statements 168 pages, 8½ x 11, perfect bound	100	x		\$	B
Preliminary Official Statements Electronic	20	x		\$	C
Official Statements Electronic	100	x		\$	D
GRAND TOTAL	(A+B+C+D=E)			\$	E

The Bidder must fill out the Bid Price form in its entirety, or the Bid will be rejected as non-responsive. If the Bidder wishes to propose a line item at no cost, it should be indicated as \$0.00.

The Contract shall be awarded to the responsive and responsible¹ Bidder providing the lowest Grand Total for all items described in Section Four of this ITB. In the event of a tie, Florida Housing will give preference in the award process to each Bid certifying that a drug-free workplace has been implemented in accordance with Section 287.087, Fla. Stat. If a tie continues to exist, Florida Housing will give preference to minority business enterprises as defined in Section 288.703, Fla. Stat. If a tie continues to exist after the previous two tiebreakers, Florida Housing will give preference to the commodities manufactured, grown, or produced within the State of Florida in accordance with Section 287.082, Fla. Stat.

Complete and sign the table below. **Unsigned offers will not be considered.**

I agree to abide by all conditions of ITB 2024-07 and certify that all information provided in this Bid is true and correct, that I am authorized to sign this Bid as the Bidder and that I am in compliance with all requirements of the ITB, including but not limited to, the certification requirements stated in Section Five of this ITB.


Bidder:		
Address:		
City:	State:	Zip:
Authorized Signature & Date:		
Title:	Phone:	

SECTION SEVEN
AWARD PROCESS

Florida Housing will provide notice of its decision, or intended decision, for this ITB 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. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat. or failure to post the bond or other security required by law within the time allowed for filing a bond will constitute a waiver of proceedings under Chapter 120, Fla. Stat.

¹ Pursuant to s. 287.05701 Fla. Stat., Florida Housing may not request documentation of or consider a vendor’s social, political, or ideological interest when determining if the vendor is a responsible vendor. Additionally, Florida Housing may not give preference to a vendor based on the vendor’s social, political, or ideological interests.

ITB 2024-07 - Printing and Electronic Distribution of Official Statements
Bid Tabulation
Bid Opening Date: June 4, 2024, 2:00 p.m., Eastern Time

Bidder	Total Cost
ImageMaster, LLC 	\$2,190.00