



Berkeley Housing Authority

## **Request for Proposals (RFP) 22-01 Project-Based Section 8 Vouchers**

The Berkeley Housing Authority (BHA) has opened an RFP for Project-based Vouchers (PBVs), and will be accepting proposals from developers of new construction and rehabilitation projects of low income housing in Berkeley, CA. Applications are available on BHA's website: [www.cityofberkeley.info/bha](http://www.cityofberkeley.info/bha) under the "Requests for Proposals" section of the website. Application deadline is November 30, 2022, by 5 pm.

The allocation will be for up to 85 Project-based Vouchers. **However, the issuance of this RFP does not guarantee a specific maximum number of PBVs to be awarded. Projects with existing PBV master HAP contracts with BHA are not eligible to apply for this RFP.**

**The populations served by the units awarded PBVs via this RFP must be in the following categories, as required by The Housing Opportunity Through Modernization Act of 2016 (HOTMA):** homeless, which may be homeless unaccompanied youth under 25; veterans; elderly or disabled households receiving supportive services; units in a census tract with a poverty rate of 20% or less. Households served may have incomes of between 0% Area Median Income (AMI) through 50% AMI.

**Priority will be given to projects that take into consideration a thoughtful request of PBVs that reflects only the minimum number of PBVs required for a project to be financially feasible,** keeping in mind the limited number of PBVs remaining within BHA's capacity to issue future RFPs for Project-based Vouchers.

The Project-based vouchers awarded in this RFP will be for a timeframe of up to 1 – 20 years in the first term of a Master HAP contract only. For projects awarded PBVs, there will be an option to renew in a second term.

**Site control** must be in owner's possession prior to allocation, with an allowance of up to 6 months for those still working on site control. Site control may be in the form grant deed, option, or deposit receipt.

**Rehabilitation projects** are those existing projects that do not substantially comply with Housing Quality Standards (HQS) inspections protocol, which are outlined on BHA's website: <https://bha.berkeleyca.gov/>.

**Existing projects** may also apply. Existing projects are those that substantially comply with HQS and will be inspected prior to award for confirmation of compliance with inspection protocols. Properties/units that do not substantially comply with HQS will be considered rehabilitation projects. Any existing projects with current tenants in units that are expected to be project-based must be confirmed eligible for the PBV program or their units will be denied PBV designation. Developments with existing PBV Master HAP contracts with BHA are not eligible to apply under "Existing Housing" category.

**PBV tenant eligibility requirements for existing housing:** must be confirmed to be in one of the HOTMA allowable population categories listed above; incomes of not more than 50% AMI; not a registered sex offender; not previously convicted of manufacturing methamphetamine on public housing premises; at least one household member must have legal immigration status.

**New Construction and Rehabilitation projects may not begin construction** until completion of: (a) an Environmental Review; (b) Subsidy Layering Review; (c) signing of an Agreement to Enter into a Housing Assistance Payment Agreement (AHAP).

Participation in the PBV program requires **compliance with Fair Housing and Equal Opportunity requirements** of construction including accessibility requirements under section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act as appropriate; federal Labor standards will apply in cases of more than 9 PBV units awarded.

**Developers selected for PBV awards for New Construction and Rehabilitation will be required to hire:** (a) an environmental review consultant to handle proper level of review and submit to the City of Berkeley, the Responsible Entity, for proper public record notification and HUD approval; and (b) if 9 or more PBVs are awarded, a Davis-Bacon wage monitoring firm, which will be responsible for obtaining a wage decision number, lock in date, providing copies of weekly payroll records to BHA, identifying and remedying wage discrepancies, and providing discrepancy & resolution documentation to BHA.

**To Apply:**

**Application deadline is November 30, 2022, 5:00 pm.**

Application forms are available on line at: <https://bha.berkeleyca.gov/other/request-proposals-rfp>. If preferred, applicant may re-type application form into a different word processing format for completion, or may type responses directly into the form provided on website. No additional formats of the application will be provided by BHA.

Completed applications, attachments, and certifications must be emailed by November 30, 2022, 5 pm deadline to:

Celinda Aguilar-Vasquez, Acting Management Analyst: [caguilar-vasquez@cityofberkeley.info](mailto:caguilar-vasquez@cityofberkeley.info)

In addition to emailing the application & attachments, two (3) complete hard copies must mailed or delivered to:

BHA PBV RFP 2022-01  
Berkeley Housing Authority  
1947 Center Street, 5<sup>th</sup> Floor  
Berkeley, CA 94704

Note: the BHA office is closed to the public due to the pandemic; please provide three hard copies of the proposals to the Security Guard at the front desk who will provide to BHA.

Both email response and three hard copies must be received by due date/time (hard copy must not be postmarked on the due date, as it will arrive after deadline).

Owners/developers will be notified by letter of the acceptance or rejection of their proposal, including the number of PBVs approved by the Board after the January 12, 2023 Board meeting. **Submission of a proposal does not a guarantee that the number of PBVs requested will be allocated, and the actual award may be fewer PBVs than requested. If an award is made, it will be up to the developer to accept or decline award after learning of the number of PBVs awarded.**

**Selection of Proposals**

Each proposal will be evaluated using the following factors:

- Extent to which the project serves a special needs population, specifically only those categories allowable under the HOTMA;
- Demonstrated fiscal need for PBV subsidy as a financing mechanism, and reliance on other subsidy options, so that the request for number of PBVs is reasonable in context of the pro forma and Board's desire only to fund the minimum number of PBVs required for project feasibility;
- Extent to which the project furthers the goal of deconcentrating poverty and expanding housing and economic opportunities to areas of lower poverty concentration within Berkeley;
- Extent to which units of rehab/existing projects are modernized, in addition to any property-wide systems improvements;
- Extent to which the project includes fully accessible or adaptable units for disabled/wheelchair access;
- History of tenant screening policies/practices that are inclusive, and give regard to hardships typical to families with limited financial means;
- Extent to which an allotment of PBVs to a special needs population would more equitably distribute the available PBVs throughout all of the population categories and throughout the City of Berkeley;
- Owner experience and capacity to build or rehabilitate housing;
- Completeness of proposal submission including all required attachments, certifications.





Berkeley Housing Authority

## **Request for Proposals (RFP) 22-01 Project-based Section 8**

### **INSTRUCTIONS:**

Please fill out the attached form completely, gather attachments requested, and sign certifications provided. Incomplete proposals or proposals arriving after the due date/time will not be considered.

Deadline for submission is Wednesday, November 30, 2022, 5 pm.

Please submit proposal/attachments (a) by email to [caguilar-vasquez@cityofberkeley.info](mailto:caguilar-vasquez@cityofberkeley.info), and (b) mail or deliver 3 hard copies of complete proposals/attachments to:

PBV RFP 2022-01  
Berkeley Housing Authority  
1947 Center Street, 5<sup>th</sup> Floor  
Berkeley, CA 94704

Note: the BHA office is closed to the public due to the pandemic; please provide three hard copies of the proposals to the Security Guard at the front desk who will provide to BHA. Both email response and three hard copies must be received by due date/time (hard copy must not be postmarked on the due date, as it will arrive after deadline).

**Deadline for submission of emailed and 3 hard copies is Wednesday, November 30, 2022, 5 pm.**

## BHA RFP Project-based Section 8

### A. Contact Information

Name of Developer:	
Name of Project:	
Project Address:	
Contact Person:	
Phone:	
Email:	
Executive Director:	
Number of units in total:	
Number of PBVs Requested*	
Expected start date of construction:	
Estimated length of construction (# days):	
Length of PBV HAP Term Requested (1-20 yrs)	

*\*BHA is particularly interested in awarding only the minimum number of PBVs needed to make a project feasible; developers are strongly encouraged to carefully consider the number of PBVs requested.*

### B. Project/Property:

**Check category for project type:**

- New Construction
- Rehabilitation: units/property not substantially in compliance with Housing Quality Standards (HQS) Inspections Protocol on proposal selection date.
- Existing Housing: units/property that substantially comply with HQS Inspections Protocol on proposal selection date; will be inspected prior to award. If units/property are not substantially in compliance with HQS, the project will be considered a Rehabilitation project.

**NOTE:** this PBV RFP is for projects that do not currently have PBVs attached to them. Developments with existing PBV Master HAP contracts with BHA are not eligible to apply under “Existing Housing” category at this time.

#### **Building Type**

- Apt/5 or more units
- Duplex/Triplex/Garden Style
- Other: \_\_\_\_\_

**Evidence of Site Control**

Please attach evidence of ownership or site control (e.g., grant deed, option, deposit receipt).

**Ownership of property/site control (check one):**

- Mortgage
- Option
- Other (please explain): \_\_\_\_\_
- Own free and clear
- Lease

Note: site control must be in owner’s possession in order for a PBV award to be executed; BHA will allow up to 6 months for developers still working on obtaining site control at which time the PBV allocation will be rescinded and the project may re-apply the next time BHA opens up a new PBV RFP. If site control is not obtained at time of application submission, describe detailed plans to obtain site control on/before the June 30, 2023 deadline for site control.

Are there any non-residential units (on site manager’s unit; commercial space; offices) in the project that you propose to construct or rehab.?

- Yes
- No

If yes, describe (including square footage and use):

**C. Description of Project**

**Population Served**

Per HUD’s Housing Opportunity Through Modernization Act (HOTMA) requirements, this allocation of PBVs is only available for housing that serves only the categories listed below.

Check which population(s) will be housed with PBVs, if awarded:

- Homeless or imminently homeless
- Unaccompanied youth under 25
- Individuals/families fleeing domestic violence
- Veterans

- Elderly (over 62 years of age) – with supportive services made available
- Disabled – with supportive services made available
- Units in a census tract with a poverty rate of 20% or less per most recent American Community Survey\* (see <https://www.huduser.gov/portal/maps/hcv/home.html>)  
\*If this box is checked, indicate Census Tract: \_\_\_\_\_ and Poverty Rate: \_\_\_\_\_

Provide a description of the property and any specific housing needs that will be addressed with the award of S8 Project Based Vouchers.

Describe the proposed new construction project or the rehabilitation to be undertaken. Include project design and specifications, any green build or sustainable building methods and systems/energy provision.

Complete the following chart designating the number of units by unit size and # of PBV units proposed.

Bedroom Size	Total # of Units	# PBV Units Requested	Target Population	#Accessible Units (PBV)	Accessibility Features	Sq. Ft.
SROs						
Studios						
1-BR						
2-BR						
3-BR						
Other						
<b>TOTALS</b>						

Describe the type of accessibility features available to persons with disabilities

HUD places a cap on the number of PBVs that can be allocated to a project of no more than 25 percent or 25 units in total, except for: (a) units exclusively designated for elderly families; (b) housing of households eligible for supportive services; and (c) projects in a census tract with a poverty rate of 20% or less are subject to a 40% cap.

*Note: a request of 25 PBVs or 25% of the project does not guarantee an award of that size will be made. Please see comment above requesting that applicants consider carefully the minimum number of PBVs needed to make the project feasible.*

Will the PBV units be designated for the elderly, or families receiving supportive services, or those in a census tract with a poverty rate of 20% or less?

Yes (see below)  No



If Yes, please specify the population to be housed:

- Elderly (62 Yrs. or older)                       Families Receiving Supportive Services
- Census Tract \_\_\_\_\_; Poverty Rate \_\_\_\_\_
- Attach copy of ACS Printout identifying Census Tract/Poverty Rate

Are there any non-residential units (on site manager's unit; commercial space; offices) in the project that you propose to construct?

\_\_\_\_\_ Yes    \_\_\_\_\_ No

If yes, describe (including square footage and use:

**D. Services/Amenities/Utilities**

List the distances (in blocks or miles) from this property to the nearest:

Grocery/farmers market: _____	Recreational Facilities _____	Library _____
Shopping District _____	Educational Facilities _____	Park _____
Public Transportation _____	Senior Center _____	Employers _____
Health Facilities _____	Public Schools _____	

Provide a description of the neighborhood in which the project is proposed, including current poverty rate, vacancy rates, rent affordability, whether there is documented displacement occurring, employment/educational opportunities, historical context/relevance.

**Will the project be located in:**

- A low poverty census tract (< 20%); Census Tract: \_\_\_\_\_ Poverty Rate: \_\_\_\_\_
- A census tract in which the proposed PBV development will be located in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community.
- A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition, disposition, or HOPE VI redevelopment.
- A census tract in which the proposed PBV development will be located is undergoing significant revitalization as a result of state, local, or federal investment in the area.
- A census tract where new market rate units are being developed that will positively impact the poverty rate in the area
- A census tract where there has been an overall decline in the poverty rate within the past five years
- A census tract where there are meaningful opportunities for educational and economic advancement

**E. Supportive/Social Services and Other Amenities**

Describe any Supportive Services to be offered at the property

Type of Service	Hours per week	Service Provider	Length of Service Commitment	Financial Commitment For Services
On site Services Coordinator				
Adult job training, educational, or skills building classes				
Licensed child care or after school program				
Health or behavioral health services including health and wellness classes				
Food provision				
Transportation				
Other:				

**PROPOSED SITE AMENITIES**

Please indicate what amenities the owner plans to provide for the units and property and briefly describe how these amenities are appropriate to the tenant population (e.g. on site laundry, community/meeting/computer rooms, art or reading rooms, etc):

**Utilities:** Please indicate who will be responsible for the following utilities.

Utility Type	Paid by Owner	Paid by Tenant
Cooking – Gas		
Cooking - Electric		
Heating – Gas		
Heating - Electric		
Electric (Lights, etc.)		
Water		
Sewer		
Hot Water Heating – Electric		
Hot Water Heating – Gas		
Garbage		
Other:		

**F. EXPERIENCE**

Please attach the most recent audit or unaudited financial statement for a successful project of similar size.

Does the applicant have experience owning and operating affordable housing?

Yes  No Specify how many years of experience: \_\_\_\_\_

Describe your experience, if any, with HUD-funded housing programs.

HUD PROGRAM	Number of units owned/managed
_____	_____
_____	_____

How many affordable housing properties does the applicant own and operate?

Number of properties: \_\_\_\_\_

Location(s): City/State: \_\_\_\_\_  
 \_\_\_\_\_

How many units of affordable housing does the applicant own and operate?

Number of units: \_\_\_\_\_

**G. Project Financing/Budgets**

**Please attach:**

- Project Development Budget
- Project's Financing Plan and Schedule
- 20-Year Pro Forma
- 2-4 page Summary of Pro Forma
- Evidence of other financing commitments, including local government support

Provide a brief narrative indicating total costs for the project, and plans to finance the new construction or rehabilitation.

**Show total construction/rehab. costs:**

<b>Category</b>	<b>Cost</b>
Unit Construction	
Site Improvements/ Landscaping	
Offsite Improvements	
General Conditions	
Contractor Overhead & Profit	
Insurance/Bond/City Tax	
Other (describe):	
Other (describe):	
<b>Total Cost of Construction/Improvements</b>	

Indicate the monthly contract rents estimated:

Unit Size	# PBV Units Sought	Rent Estimate	(minus) Utility Allowance Estimate	Total Net Estimated Contract Rent/Month	Total Net Estimated Contract Rent/Year	Total Net Estimated Contract Rent/Contract
SRO						
Studio						
1-BR						
2-BR						
3-BR						
Other:						

For current Utility Allowance Schedules, visit: <https://bha.berkeleyca.gov/landlords/payment-standards>

*NOTE: Figures in the AHAP likely will not reflect actual contract rents post-construction; those will be determined at the time of master HAP contract signing. HUD regulations state the contract rents at signing of AHAP must not exceed the lowest of: (1) An amount determined by the housing authority, not to exceed 110 percent of the applicable fair market rent minus any utility allowance; (2) The reasonable rent; or (3) The rent requested by the owner.*

**H. Rehabilitation/Existing Projects:**

Is there a Physical Needs Assessment available for the property?

- Yes- if so, attach copy of the PNA with application
- No

Has this property been assisted under any federal housing program at any time during the last 12 months (e.g., CDBG, 202, 811, 221 (d) (3), HOME, 236 Programs) or will the proposed project be assisted under any other federal housing programs?

- Yes  No

If Yes, please list the additional subsidy programs applicable to this property: \_\_\_\_\_

Is there a housing affordability restriction in the deed or other document?

- Yes  No

If Yes, indicate the name of the program and the jurisdiction requiring it, as well as expiration date of restriction: \_\_\_\_\_

Provide a summary of rehabilitation/improvements for rehab/existing projects including any systems upgrades, green building practices, and unit improvements.

If existing tenants will have to be relocated, please describe compliance with Uniform Relocation assistance/local relocation benefits: Note – existing tenants who expect to return to a PBV unit must first be screened for qualification for the PBV Section 8 Program, including falling under HOTMA population categories, before being offered a PBV unit upon rehab completion.

**I. Zoning Approvals**

Provide documentation of compliance with City Planning Department if obtained.

- Yes, zoning approvals obtained & attached
- No, zoning approvals not obtained; expected in \_\_\_\_ months, at which time will be provided to BHA.

**CERTIFICATION**  
**Uniform Relocation Act/Local Relocation Requirements**  
**Rehab Projects with Existing Tenancies**

The Owner/Applicant Certifies that:

- a. The owner has not required any tenant to move without cause during the 12 months prior to the date of application.
- b. The owner is willing to comply with all the temporary relocation requirements of the Agency and will compensate, as required, a temporarily relocated tenant for the costs of such relocation.
- c. The owner will not require any tenant to move without cause during the period of time following submittal of this application until the date on which developer signs an Agreement to enter into a Housing Assistance Payments Contract.
- d. Existing tenants who expect to return to a PBV unit must first be screened for qualification for the PBV Section 8 Program, including HOTMA population designation, before being offered a PBV unit upon rehab completion.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Owner email address

**CERTIFICATION**  
**Additional PBV Compliance Requirements**

Owner/Applicant certifies:

- A. Construction has not begun and will not begin until after:
  - a. BHA Responds to this request for PBV's
  - b. Environmental Review is completed and submitted to BHA: developer responsible for hiring environmental review consultant to complete proper level of environmental review
  - c. Subsidy Layering review is completed and submitted to BHA
  - d. An Agreement to Enter Into a Housing Assistance Payment Contract (AHAP) is executed.
- B. Davis-Bacon:
  - a. If project is awarded 9 or more units, developer agrees to hire a federal Davis-Bacon wage monitor who will be responsible for obtaining a wage decision number, lock in date, and providing copies of weekly payroll records to BHA.
  - b. Wage Monitor will be responsible for identifying wage discrepancies and remedying wage discrepancies.
- C. Relocation:
  - a. Owner has not required any tenant to move without cause during the 12 months prior to the date of the application
  - b. Owner is willing to provide all the temporary relocation benefits required by law.
  - c. If tenants must be relocated and expect to move back into rehabbed units, they must be qualified for the PBV program, including qualification of one of the HOTMA population designations.
- D. The information contained in this application and proposal submission are true, correct, and complete.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Owner email address



**CERTIFICATION**  
**Owner's Requirement to Comply with**  
**Title VI of the Civil Rights Act 1966**

\_\_\_\_\_ (name of Owner) hereby certifies to  
**comply with the following, if awarded Project Based Section 8 Vouchers by the Berkeley  
Housing Authority:**

Title VIII of the Civil Rights Act of 1968, E. O. 11063, E.O. 11246 Section 3 of the Housing and Urban Development Act of 1968 (Equal Opportunity requirements) and all applicable Federal requirements listed in 24 CFR 983.11 including, but not limited to, the payment of not less than the prevailing wages in the locality pursuant to the Davis-Bacon Act to all laborers and mechanics employed in the construction or rehabilitation project.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Owner email address

## Compliance with Site and Neighborhood Standards

### New Construction

BHA may not enter into an Agreement to enter into a HAP contract nor enter into a HAP contract for existing or rehabilitated housing until it has determined that the site complies with the HUD required site and neighborhood standards.

1. The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed.

Describe compliance:

2. The site must have adequate utilities and streets available to service the site

Describe compliance:

3. The site must not be located in an area of minority concentration unless the PHA determines that sufficient, comparable opportunities exist for housing for minority families in the income range to be served by the proposed project outside areas of minority concentration or that the project is necessary to meet overriding housing needs that cannot be met in that housing market area.

Describe compliance:

4. The site must promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.

Describe compliance:

5. The neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate.

Describe compliance:

6. The housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units.

Describe compliance:

7. Except for housing designed for elderly persons, the housing must be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive.

Describe compliance:

## Compliance with Site and Neighborhood Standards

### Rehabilitated/Existing Housing

BHA may not enter into an Agreement to enter into a HAP contract nor enter into a HAP contract for existing or rehabilitated housing until it has determined that the site complies with the HUD required site and neighborhood standards.

1. The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed

Describe compliance:

2. The site must have adequate utilities and streets available to service the site

Describe compliance:

3. The site must promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons

Describe compliance:

4. The site must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units

Describe compliance:

5. The site must be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive

Describe compliance:

**Plan For Managing and Maintaining Units After  
Construction/Rehab**

**OWNER OR MANAGEMENT AGENT**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

# Years managing assisted properties \_\_\_\_\_

**Property Management Staffing:**

	No. of Staff	FTE
Admin Staff:	_____	_____
Maintenance:	_____	_____

**Management Plan**

Do you have a written plan for management of the units?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please include the management plan with this application.

If No, please identify what personnel will manage the units, their location, hours of operation and any other duties and responsibilities.

**Maintenance and Repair Plan**

Do you have a written plan for maintenance of the units?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please include the maintenance plan with this application.

If No, please prepare a description of how units will be maintained, both on an on-going and long-term basis, focusing on preventive and routine maintenance, emergency repairs, security, health and safety areas. Please identify what personnel will perform the maintenance of units and common areas, their location and hours of operation.

## **REQUIRED HUD ATTACHMENTS**

Please print out each of these documents, complete, and include with application submission.

- A. Certificate(s) of Previous Participation (HUD form 2530):

<https://www.hud.gov/sites/documents/2530.PDF>

- B. Disclosure of Lobbying Activities:

<https://www.hud.gov/sites/documents/SFLLL.PDF>

- C. Certification of Payments to Influence Federal Transactions

<https://www.hud.gov/sites/documents/50071.PDF>

- D. Additional Government Funding - Form 2880

<https://www.hud.gov/sites/documents/2880.PDF>