

County of El Dorado
Chief Administrative Office
Procurement and Contracts Division
solicitation on behalf of the

Health and Human Services Agency
Public Housing Authority



Request for Proposals
#23-952-029
for
Project-Based Voucher Program

Submittal Deadline:

April 7, 2023, not later than 3:00 PM (Pacific)

Table of Contents

1.0	INTRODUCTION	1
2.0	SCOPE OF WORK.....	4
3.0	ELIGIBILITY	17
4.0	PROPOSAL FORMAT REQUIREMENTS.....	17
5.0	PROPOSER QUESTIONS.....	23
6.0	PROPOSAL SUBMITTAL INSTRUCTIONS.....	23
7.0	EVALUATION PROCESS	25
8.0	SELECTION PROCEDURE	27
9.0	EL DORADO COUNTY WEBSITE REQUIREMENTS	28
10.0	REJECTION OF PROPOSALS	28
11.0	VALID OFFER.....	28
12.0	COUNTY RIGHTS.....	29
13.0	CONFLICT OF INTEREST.....	29
14.0	PUBLIC RECORDS ACT	29
15.0	BUSINESS LICENSE REQUIREMENT.....	30
16.0	PUBLIC AGENCY	30

Attachments

Attachment A – Sample Housing Assistance Payment (HAP) Agreement*

Attachment B – El Dorado County 2022 Fair Market Rents

Attachment C – County of El Dorado Project-Based Voucher Program Application

Attachment D – Certification of Equal Opportunity

Attachment E – Disclosure of Lobby Activities

Attachment F – Certification of Census Tract

Attachment G – HUD Form 50071, Certification of Payments to Influence Federal Transactions

Attachment H – HUD Form 2992, Certification Regarding Debarment and Suspension

Attachment I – HUD Form 2880, Applicant Disclosure Update

Attachment J – Uniform Relocation Act Certification

Attachment K – Participation in the Low-Income Housing Tax Credit Program Certification

Attachment L – Design Architect Certification

Attachment M – Certification of Permissive Zoning

Attachment N – County of El Dorado Utility Allowance 2022 West Slope/South Lake Tahoe

Attachment O – RFP Evaluation Scoring Matrix

*The attached Sample Agreement for Services is for reference only. Other terms and conditions may apply based on the types of services and funding involved.

1.0 INTRODUCTION

The County of El Dorado (hereinafter referred to as County) is located in Northern California and is bordered by Sacramento, Placer, Amador and Alpine counties in California, and Douglas County, Nevada. The two (2) incorporated cities in the County are Placerville and South Lake Tahoe. According to the US Census, approximately 16% of the population (30,366 people) of El Dorado County resides in the Tahoe Basin, while 84% of the population resides on the West Slope of the County (160,819 people). The County currently has twenty-four (24) departments and approximately one thousand nine hundred forty-one (1,941) employees.

The El Dorado County Public Housing Authority (EDCPHA, also PHA) is a legal entity established under the Health and Human Services Agency (HHS) Community Services Division and Housing and Homelessness Services. The EDCPHA operates under federal guidelines from the U.S. Department of Housing and Urban Development (HUD) to provide a rental subsidy assistance Program called the Housing Choice Voucher (HCV) Program (formerly known as Section 8 housing). The HCV Program is the federal government's major program for assisting very low-income families, the elderly, and those with disabilities to afford decent, safe, and accessible housing in the private market.

Housing Choice Vouchers are “tenant-based,” meaning families can use them to rent any private rental housing unit that meets HUD program guidelines. Project-Based Vouchers (PBV), in contrast, are attached to specific housing units whose landlord contracts with the state or local PHA to rent those PBV assisted units to low-income families. If a family in a PBV assisted housing unit moves out of that unit, another low-income family assisted under the PBV Program can move into that unit and benefit from the rent subsidy it provides.

HUD allows Housing Authorities to attach up to twenty percent (20%) of its authorized HCV Program funding to specific housing units as Project-Based. PBVs exist as a part of a program developed by HUD to provide place-based rental subsidies to help eligible low-income households afford long-term rental homes in the private market.

The PBV Program is designed to conform to Title 24, Chapter IX, Part 983 of the Code of Federal Regulations (CFR) Project Based Voucher Program Final Rule published in the Federal Register on October 13, 2003, Changes to the Section 8 Project-Based Voucher Programs Final Rule published on June 25, 2014, and the Housing Opportunities Through Modernization Act of 2016¹.

The shortage of available affordable rental units in the County has resulted in a lack of housing options for low-income individuals and families. As a result, the County Procurement and Contracts Division, on behalf of the EDCPHA, is publishing this Request for Proposals (RFP) to solicit Property Owners and/or

¹ https://www.hud.gov/Program_offices/public_indian_housing/Programs/hcv/project

Property Developers (also referred to as “property owner”, “property developer”, or “Proposer”) to make County-located affordable rental housing available to lower income individuals and their families through their participation in the PBV Program.

As a result of this RFP competitive selection process, the EDCPHA may award up to fifty (50) housing subsidies as PBVs, where the rental subsidy will be directly tied to specified housing units located within the County. These fifty (50) PBVs are being made available to eligible property owners and developers through the requirements outlined within this RFP. Once awarded to a specific unit, a PBV housing subsidy will remain connected to that unit even after a tenant moves out of the unit.

For the purposes of this RFP, the following eligible Proposer definitions apply:

- **Property Owner** is defined as the individual or company that has owner's rights to a property such as a block of land or building. The property owner is responsible for the payment of any rates and taxes that arise. Evidence that a Proposer meets this definition may include a property deed, tax record, or other legal document establishing legal ownership.
- **Property Developer** is defined as an organization with an established, licensed business and a demonstrable history of purchasing real estate for the purposes of renovation and/or development. Evidence that a Proposer meets this definition may include legal documents that establish both the licensure of the organization as well as prior experience demonstrating property development projects.

The EDCPHA’s primary purpose of issuing this RFP is to create and/or expand affordable housing units on both the West Slope (City of Placerville and unincorporated areas in El Dorado County) and the East Slope (South Lake Tahoe Basin). Eligible projects must be located within either County Slopes, with at least sixteen percent (16%), of the fifty (50) PBVs prioritized for award to properties/units located in the Tahoe Basin, based on the current population distribution of El Dorado County. Property owners must apply for at least one (1) unit but may apply for up to fifty (50) units as long as a minimum of sixteen percent (16%) of those proposed units are located in the Tahoe Basin, and the balance of units are located on the Western Slope of the County. The County intends to award more than one (1) proposal for these PBVs.

Property owners may apply for PBV assistance for existing housing units, or for newly constructed units or rehabilitated housing, developed under and in accordance with a PBV Agreement to enter into Housing Assistance Payments Contract (AHAP) that was executed prior to the start of construction.

For the purposes of the PBV Program, the eligible types of PBV projects and basic requirements are as follows, and are further discussed in Section 2.0, Scope of Work:

- a) **Existing Housing Units:** A housing unit is considered an existing unit, if, at the time of notice of project selection, the units substantially comply with HUD Housing Quality Standards (HQS)² before execution of the Housing Assistance Payment (HAP) Contract. (Units for which new construction or rehabilitation began after the property owner’s proposal submission but prior to the execution of the HAP do not subsequently qualify as existing housing.) Basic requirements include an environmental review and a passed HQS inspection before the proposal selection date.
- b) **New Construction:** Housing units that are developed after the date of selection pursuant to an AHAP agreement executed between the EDCPHA and property owner for use under the PBV Program. Basic requirements are an environmental review, a subsidy layering review, an executed HAP Contract, and a pre-selection inspection of a new construction site.
- c) **Rehabilitated Project:** Housing units that do not substantially comply with the HQS and are developed, pursuant to an AHAP agreement executed between the PHA and property owner for use under the PBV Program. Basic requirements include an environmental review, a subsidy layering review, and an executed HAP Contract.

The County of El Dorado is an equal opportunity employer (EOE). All individuals are encouraged to participate. The County will not discriminate against any individual because of race, religion, color, national origin, ancestry, physical handicap, mental disability, medical condition, genetic information, military or veteran status, marital status, age, gender, gender identity, gender expression, or sexual orientation.

All proposals submitted in response to this solicitation must conform to all the required specifications outlined within this RFP and any designated attachments in its entirety. This RFP includes a description of the evaluation and selection process, scope of services, proposal requirements, and insurance requirements.

The following schedule for this RFP process is listed below for reference purposes and is subject to change:

RFP Issuance	March 6, 2023
Deadline for Questions	March 16, 2023
Answers Posted on or About	March 24, 2023
Due Date for Submissions	April 7, 2023

² https://www.hud.gov/Program_offices/public_indian_housing/Programs/hcv/hqs

In the event that it becomes necessary to revise any part of this RFP, written addenda will be issued and posted at:

<https://pbsystem.planetbids.com/portal/48157/portal-home> (“PlanetBids”).

Any amendment to this RFP is valid only if in writing and issued by the Chief Administrative Office, Procurement and Contracts Division. Verbal conversations or agreements with any officer, agent, or employee of the County that modify any terms or obligations of this RFP are invalid.

All interpretations or corrections, as well as any additional RFP provisions that the County may decide to include, will be made only as an official addendum that will be posted to PlanetBids and it shall be the Proposer’s responsibility to ensure they have received all addendums before submitting their proposal. Any addendum issued by the County shall become part of the RFP and shall be incorporated into the proposal.

The County will not be bound by oral responses or inquires or written responses other than written addenda.

2.0 SCOPE OF WORK

Proposers (also referred to as a property owner, to encompass a property developer in this Scope of Work) shall adhere with HUD PBV Program regulations under 24 CFR 982, in addition to all specifications outlined within this RFP, and all designated attachments in their entirety, with any modifications and/or additions to be included in a resulting contract. The County’s rules and requirements for the PBV Program are included the EDCPHA’s Administrative Plan which can be found on the El Dorado County’s Public Housing Authority’s website at:

[2022 PHA Admin Plan Update](#)

2.1 Project Based Voucher – HUD Requirements

PBVs exist as a part of a program developed by HUD to provide place-based subsidies to help eligible low-income households afford modest housing in the private market. Under the PBV Program framework, the EDCPHA will enter into a Housing Assistance Payment (HAP) contract with each awarded property owner for an initial term of up to twenty (20) years, based on funding availability. Assistance or subsidy is provided while eligible families occupy the rental housing units, and the unit meets other program standards. The subsidy cannot be moved to other units in the complex except as allowed under HUD regulations.

PBV assistance may be authorized for existing housing (existing units that comply with housing quality standards), newly constructed units, or for rehabilitated housing. Each PBV awarded project will require one (1) HAP

contract for PBV designated units. HAP contracts may be extended for an additional twenty (20) years if further funding becomes available. All proposals submitted for EDCPHA units must be approved by HUD, or an independent entity selected by HUD.

2.2 Site and Neighborhood Compliance Standards

A. All Housing Unit Types (Existing, Rehabilitated or Newly Constructed)

As required under [24 CFR 983.57](#), all housing units for PBV assisted housing types must meet the following site and neighborhood standards and the EDCPHA cannot enter into an AHAP or HAP contract with a property owner until determining the below requirements are met:

- 1) Project-based assistance for housing at the selected site is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities. The standard for deconcentrating poverty and expanding housing and economic opportunities must be consistent with 24 CFR part 903 and with [EDCPHA Administrative Plan](#). (To meet this requirement, the EDCPHA will limit approval of sites for PBV housing in census tracts that have poverty concentrations of twenty percent (20%) or less. (*see exceptions below).
- 2) The site(s) adheres to applicable HUD, State of California, and federal laws such as but not limited to Title VI of the Civil Rights Act of 1964, Civil Rights Act of 1968, non-discrimination laws, Fair Housing Act, affirmatively furthering fair housing, and Equal Opportunity in Housing (24 CFR 983.8), and all other regulations further outlined in 24 CFR 983.57(b)(2).
- 3) HUD Housing Quality site and unit standards are met as described in 24 CFR 982.401, and outlined in Article D below.
- 4) Housing sites have completed the Environmental Review process required by the State of California and under federal guidelines (further outlined under Section 2.3 below). PBV selected sites are subject to HUD environmental regulations with 24 CFR parts 50 and 58.

* The EDCPHA will grant exceptions to the twenty percent (20%) standard if it determines that the PBV assistance will complement other local redevelopment activities designed to deconcentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than twenty percent (20%), such as sites that are located in the following census tracts:

- A census tract in which the proposed PBV development will be located in a HUD designated Enterprise Zone, Economic Community, Choice Neighborhood, or Renewal Community;

- A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition and 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 dollars invested in the area;
- A census tract where new market rate units are being developed where such market rate units 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; or
- A census tract where there are meaningful opportunities for educational and economic advancement.

B. Existing and Rehabilitated Housing Units

Consistent with [24 CFR 983.57\(d\)](#), the EDCPHA cannot enter into an AHAP or HAP contract with a property owner until determining housing sites for existing or rehabilitated housing meet the following site and neighborhood standards:

- 1) Be adequate in size, exposure, and contour to accommodate the number and type of units proposed and have adequate utilities (water, sewer, gas, and electricity) and streets available to service the site.
- 2) Promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.
- 3) Be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting of largely unassisted, standard housing of similar market rents.
- 4) Be located within reasonable travel times and cost via public transportation or private automobile from the neighborhood to places of employment.
- 5) HUD requires new construction and rehabilitation housing that will include forms of governmental assistance other than PBVs to undergo a subsidy layering review (SLR) prior to entering AHAP contract (Either HUD or a HUD-approved housing credit agency (HCA) in the PHA's jurisdiction performs the subsidy layering review.
- 6) Be compliant with HUD's broadband infrastructure requirement, which stipulates that new construction or rehabilitation projects funded under this RFP must have broadband infrastructure. More information can be found in the [Federal Register / Vol. 81, No. 244 / Tuesday, December 20, 2016, on page 92,626](#).

C. Newly Constructed Housing Units

Consistent with [24 CFR 983.57\(e\)](#), the EDCPHA cannot enter into an AHAP or HAP contract with a property owner until determining newly constructed housing units must meet the following site and neighborhood standards:

- Be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and have adequate utilities (water, sewer, gas, and electricity) and streets available to service the site;
- Not be located in an area of minority concentration unless the EDCPHA 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
 - The project is necessary to meet overriding housing needs that cannot be met in the housing market area (see 24 CFR 983.57(e)(3)(iii, iv, and v) for additional guidance));
- Not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area;
- Promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
- The neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions pre-dominate, unless there is actively, in-progress, a concentrated program to remedy the undesirable conditions;
- Be accessible to social, recreational, educational, commercial, and health facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents;
- Except for newly constructed housing units designed for elderly persons, units must be located so that that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive; and
- Be compliant with HUD's broadband infrastructure requirement, which stipulates that new construction or rehabilitation projects funded under this RFP must have broadband infrastructure. More information can be found in the [Federal Register / Vol. 81, No. 244 / Tuesday, December 20, 2016, on page 92,626](#).

D. Housing Quality Standards

PBV assisted units must meet the housing performance and quality adaptability standards outlined in [24 CFR 983.101](#) and [24 CFR 982.401](#), which serve as HUD minimum quality standards for housing assisted under the PBV Program, both at commencement of the project-assisted occupancy, and throughout the PBV assisted tenancy, unless variations are approved by HUD. Project owners must satisfy all HQS performance and acceptability criteria requirements outlined under code unless variations are approved by HUD prior to entering into a HAP Agreement with EDCPHA.

HUD requires that HQS consist of performance and acceptability criteria that apply to the below key aspects of housing quality:

- Sanitary facilities
- Food preparation and refuse disposal
- Space and security
- Thermal environment
- Illumination and electricity
- Structure and materials
- Interior air quality
- Water supply
- Lead-based paint
- Access
- Site and neighborhood
- Sanitary condition
- Smoke detectors

As required under HQS, the housing site and neighborhood may not be subject to serious adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank back-ups or sewage hazards; mudslides; abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.

E. Non-Eligible Housing Units

Housing units and/or projects that are NOT eligible for PBV assistance include:

- Shared housing
- Units on the ground of a penal, reformatory, medical, mental, or similar public or private institution

- Nursing homes or facilities providing continuous psychiatric, medical, nursing service, board and care, or intermediate care (assistance may be approved for a dwelling unit in an assisted living facility that provides home health care service such as nursing and therapy for residents of the housing)
- Units owned or controlled by an educational institution or its affiliate and designed for occupancy by students of the institution
- Manufactured homes
- Transitional housing
- Owner-occupied housing
- Units occupied by an ineligible family at the time of proposal submission or prior to execution of the HAP contract
- Units for which construction or rehabilitation has commenced after proposal submission and prior to execution of the Agreement to enter into an AHAP Contract
 - Construction begins when excavation or site preparation (including clearing of the land) begins for the housing;
 - Rehabilitation begins with the physical commencement of rehabilitation activity on the housing.
- Subsidized housing types determined ineligible in accordance with HUD regulations. (These include but are not limited to public housing units; units subsidized with any other form of rental subsidy/voucher assistance; units subsidized with any governmental subsidy that covers all or part of the operating costs of the housing; units subsidized with rental assistance. Specific factors are discussed in 24 CFR 983.57: Section 236, Section 521 or Section 101; units subsidized with Section 202 including supportive housing for the elderly; units subsidized under Section 811; units subsidized with any form of tenant-based rental assistance as defined at 24 CFR 982.1(b)(2) including units subsidized with such assistance under the HOME Program; and units with any other duplicative federal, state or local housing subsidy as determined by HUD or EDCPHA).

2.3 PBV Contracting Specifications

For this RFP Section, the following definitions are provided:

- An **Agreement to Enter into Housing Assistance Payments (AHAP)** is the initial contract entered into by and between the EDCPHA and the property owner/developer in connection with newly constructed or rehabilitated rental units proposed for Section 8 PBV assistance. The AHAP is to be entered into promptly after notice of proposal selection after subsidy layering review and environmental approval is received and must be executed prior to the start of construction. The primary goals of the AHAP are as follows:

- Under the AHAP contract, the property owner agrees to construct or rehabilitate the housing units in accordance with EDCPHA and HUD terms/conditions and the PHA agrees to subsidize the units upon satisfactory completion of the rehabilitation or construction.
- The EDCPHA ensures timely completion of the units being developed/rehabilitated by the property owner to comply with HQS and in accordance with the terms of the Agreement, and to receive the property owner's agreement to enter into a HAP Contract with the EDCPHA pending completion of said units.
- **A Housing Assistance Payments (HAP) Contract** is required by HUD for Section 8 PBV assisted housing units and is the legal and binding contract that must be executed between the EDCPHA and the property owner of PBV-assisted housing units that are occupied by a PBV assisted family. Upon satisfactory compliance with all post selection requirements, satisfactory compliance with provisions of the AHAP (if applicable) for completion of construction/rehabilitation units, and a successful HQS inspection, the EDCPHA and property owner enter into HAP contract. The HAP contract is prescribed by HUD and consists of 3 parts:
 - **Part A** – basic contract information about the name of the tenant family, address of the contracted unit, names of all household members, first and last dates of initial lease term, amount of initial monthly rent to owner, amount of initial housing assistance payment, utilities, and appliances to be supplied by property owner and tenant, signatures of PHA and property owner.
 - **Part B** – the body of the contract that describes in detail program requirements affecting the property owner and owner roles and responsibilities under the PBV program.
 - **Part C** – includes the Tenancy Addendum (Form HUD-52641-A). The addendum sets forth the tenancy requirements for the program and the composition of the household, as approved by the issued PHA. The property owner must sign the HUD Tenancy Addendum with the prospective tenant, and the tenant has the right to enforce the Tenancy Addendum against the property owner.

A. Contracting Process

The EDCPHA may not select a proposal for existing, newly constructed, or rehabilitated PBV housing on a site or enter into an AHAP contract or HAP contract for units on the site, unless the EDCPHA has determined that PBV assistance for housing at the selected site is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities. In addition, prior to selecting a proposal, the EDCPHA must determine that the site is suitable from the standpoint of facilitating and furthering full compliance with the applicable Civil Rights Laws, regulations, and Executive Orders, and that the site meets the HQS site and neighborhood standards at 24 CFR 982.401(I).

If the County selects housing units to proceed with the EDCPHA PBV Program resulting from this RFP, the selected Proposer(s) will be awarded under this RFP contingent upon County Board of Supervisors approval and will receive a Notice of Intent to Award Letter from the County.

The EDCPHA will enter into a HAP Contract with the property owner for any sites selected and approved by HUD for PBV assistance. The PHA will make housing assistance payments to the property owner in accordance with the HAP contract for those contract units leased and occupied by eligible families during the HAP contract terms. The EDCPHA and the property owner/developer cannot execute a HAP contract for the PBV Program until the EDCPHA has inspected proposed housing unit(s) in accordance with 24 CFR 983.103(b) and has determined that the unit fully complies with HQS.

Applicable only to New Construction and/or Rehabilitation Units – HUD regulations require project owners of new construction and/or rehabilitation units to complete the following items before EDCPHA and the property owner can execute the AHAP contract:

- Establish the initial monthly rent for PBV-assisted housing unit(s) in accordance with 24 CFR 983.301. The AHAP states the estimated amount of the initial monthly rent to owner; the actual amount of the monthly rent to owner is established at the beginning of the HAP contract term.
- The property owner has provided evidence that certifies that the units have been completed in accordance with the AHAP. Completion of the units by the owner and acceptance of units by the EDCPHA are subject to provisions of the AHAP (see 24 CFR 983.155 and 24 CFR 983.456).
- HUD requires new construction and rehabilitation housing that will include forms of governmental assistance other than PBVs to undergo a Subsidy Layering Review (SLR) prior to entering into an AHAP Contract. PBV projects that utilize Low Income Housing Tax Credits (LIHTC) or other governmental housing assistance from federal, state, or local agencies are subject to a SLR (see 24 CFR 983.55) to prevent excessive public assistance for the project. Proposers will be required to submit a list of documents to the EDCPHA (via the PBV Application that will then be submitted to HUD, or a HUD-designated state agency, for the SLR approval. ([Federal Register 2020-04147 issued February 28, 2020, for Non-LIHTC projects and Subsidy Layering Review Instructions for LIHTC projects](#)).
- Obtain evidence of environmental clearance in accordance with 24 CFR 983.58.

Applies only to New Construction Units – Before any agreement can be executed for new construction units proposed, the property owner must submit the design architect's certification that the proposed new construction reflected in the working drawings and specifications comply with HQS, local codes and ordinances, and zoning requirements.

The EDCPHA will, at its discretion attach PBVs under this RFP for a minimum of one (1) unit up to fifty (50) PBV units (over multiple sites), with sixteen percent (16%) of the fifty (50) vouchers awarded located in the greater South Lake Tahoe Basin, regardless of score/ranking. The PHA will only enter into HAPs or AHAPs for up to the number of units that can be supported by the EDCPHA's funding from HUD.

If a property owner is not ready to promptly execute a HAP or AHAP upon award selection, the PHA may opt to select another property owner who is ready for contract execution. "Promptly" is defined by the EDCPHA's Administrative Plan, Chapter 17, under the section entitled "Execution of the HAP Contract", in accordance with 24 CFR 983.204, and is determined based on whether the housing is existing or rehabilitated/newly constructed.

B. Environmental Reviews

Housing units selected under the PBV Program are subject to HUD environmental regulations with 24 CFR parts 50 and 58 and are subject to review under the National Environmental Policy Act (NEPA) by local authorities for new construction as outlined in Title 24 of the CFR, Subtitle B, Chapter IX, Part 983, Subpart B, Section 53 (24 CFR 983.53). EDCPHA may not enter into a PBV HAP contract with a project owner until one of the following occurs:

- The property owner (responsible entity) has completed the environmental review procedures required by 24 CFR part 58 and HUD has approved the environmental certification and request for release of funds;
- The responsible entity has determined that the project to be assisted is exempt under 24 CFR 58.34 or is categorically excluded and not subject to compliance with environmental laws under 24 CFR 58.35(b); or
- HUD has performed an environmental review under 24 CFR part 50 and has notified EDCPHA in writing of environmental approval of the site.

Upon any environmental findings, as applicable, the project owner is required to carry out mitigating measures required by the responsible entity in order to enter into a HAP contract with EDCPHA.

C. PBV Housing Units Inspections

Pre-Selection Inspection: In compliance with 24 CFR 983.103, the EDCPHA must undergo a pre-selection inspection of the proposed Project-Based housing unit(s) before a proposal selection date. If the units to be assisted already exist, the EDCPHA must inspect all the units before the proposal selection date and must determine whether the units substantially comply with HQS. To qualify as existing housing, units must substantially comply with HQS on the proposal selection date. However, the EDCPHA may not execute the HAP contract until the units fully comply with HQS.

Turnover inspection: Before providing assistance to a new family in a Project-Based contracted unit, the EDCPHA must inspect the housing unit. The ED-PHA may not provide assistance on behalf of the family until the housing unit fully complies with the HQS.

Biennial inspections: At least biennially during the term of the HAP contract, the EDCPHA must inspect a random sample, consisting of at least twenty percent (20%) of the Project-Based contract units in each building, to determine if the contracted units and the premises are maintained in accordance with the HQS.

Other inspections: The EDCPHA must inspect contracted housing units whenever needed to determine that the contract units comply with the HQS, and that the owner is providing maintenance, utilities, and other services in accordance with the HAP contract. The EDCPHA must take into account complaints and any other information coming to its attention in scheduling inspections.

D. HAP Contract – Property Owner Responsibilities

When the property owner executes the HAP contract, the owner/contractor certifies upon execution and during the term of the HAP contract adherence to the following:

- All contract PBV housing units are in good condition and the property owner is maintaining the premises and contract units in accordance with HQS.
- The property owner is providing all services, maintenance, equipment and utilities as agreed to under the HAP contract and the leases.
- Each contract PBV housing unit for which the property owner is receiving HAP, is leased to an eligible family referred by the PHA, and the lease is in accordance with the HAP contract and HUD requirements.

- To the best of the property owner's knowledge, the family residing in the contracted PBV housing unit(s) for which the property owner is receiving PBV assistance is that family's only residence.
- The property owner (including a principal or other interested party) is not the spouse, parent, child, grandparent, grandchild, sister, or brother of any member of a family residing in contracted PBV unit(s).
- The amount of the PBV assistance the property owner is receiving is matches the contracted rent agreed to in the HAP contract.
- The rent for contract PBV housing units does not exceed rents charged by the property owner for comparable unassisted units.
- Except for PBV assistance and tenant rent, the property owner has not received and will not receive any other payment or consideration for rental of the contracted unit(s).
- The family does not own or have any interest in the contract PBV housing unit (does not apply to family's membership in a cooperative).
- Repair work on the project selected as an existing project that is performed after HAP contract execution within such post-execution period as specified by HUD may constitute development activity, and if determined to be development activity, the repair work undertaken shall be in compliance with Davis-Bacon wage requirements.

E. Funding

The EDCPHA provides federally funded rental subsidies paid on behalf of eligible families who live in rental housing units that are contracted under the PBV Program. The general benefit to property owners/developers of the award of the PBVs is that PBV can be attached to designated rental housing units and is the guarantee of a multi-year contract with the EDCPHA ensuring approved Section 8 PBV contract rent for their properties. **The EDCPHA shall not pay any PBV housing assistance payment to a property owner until the HAP contract is fully executed.**

The total rent to the property owner for PBV assisted units consists of the tenant rent (the portion of the rent to owner paid by the household) and the PBV rental assistance paid by EDCPHA in accordance with the contract with the owner. The EDCPHA determines the tenant rent in accordance with HUD requirements. Households residing in units with PBVs contribute up to thirty percent (30%) of their income for rent and utilities; the PBV voucher pays the difference between the tenant contribution and the unit's total rent and utility costs. The EDCPHA subsidy standards will determine the appropriate unit size for the family size and composition.

In a PBV assigned unit, rent cannot exceed the lower of a reasonable rent or 110 percent (110%) of the applicable HUD Section 8 Fair Market Rent (FMR) by associated zip code for the unit bedroom size minus any

utility allowance (2022 County FMRs for determining rents are attached as “Attachment B, El Dorado County 2022 Fair Market Rents” to this RFP). The utility allowance must be calculated into the rent for PBV units. The 2023 utility allowance tables for both the County West Slope and the East Slope (South Lake Tahoe Basin) can be viewed in “Attachment N, El Dorado County Utility Allowance 2022 West Slope/South Lake Tahoe” to this RFP.

F. Tenancy Specifications

The [EDCPHA Administrative Plan](#) outlines the tenancy requirements for housing units contracted under the PBV Program. The information included in this section outlines some of the key points included in the above plan.

Tenant Screening [24 CFR 983.255]: The property owner is responsible for developing written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income families and reasonably related to program eligibility and an applicant’s ability to fulfill their obligations under the lease. A property owner must promptly notify in writing any rejected applicant of the grounds for any rejection [24 CFR 983.253(a)(2) and (a)(3)].

The EDCPHA is not responsible or liable to the property owner or any other person for the family’s behavior or suitability for tenancy. However, the EDCPHA may opt to screen applicants for family behavior or suitability for tenancy and may deny applicants based on such screening. The EDCPHA will provide the property owner with an applicant family’s current and prior address (as shown in EDCPHA records) and the name and address (if known by the PHA) of the family’s current landlord and any prior landlords. In addition, the EDCPHA may offer the property owner other information the EDCPHA may have about a family, including information about the tenancy history of family members or about drug trafficking and criminal activity by family members. The EDCPHA must provide applicant families a description of the PHA policy on providing information to property owners, and the PHA must give the same types of information to all property owners.

The EDCPHA may not disclose to the owner any confidential information provided in response to a request for documentation of domestic violence, dating violence, sexual assault, or stalking except at the written request or with the written consent of the individual providing the documentation [24 CFR 5.2007(a)(4)].

Leasing [24 CFR 983.253(a)]: During the term of the HAP contract, the property owner must lease contract PBV units to eligible families that

are selected and referred by the EDCPHA from the PHA's waiting list. The contract unit leased to the family must be the appropriate size unit for the size of the family, based on the PHA's subsidy standards.

The PBV term of the HAP Contract must be the same as the term of the tenant's lease [24 CFR 982.451(a)(2)]. During the course of the tenant's residency, the property owner may not terminate the lease without good cause. "Good cause" does not include a business or economic reason or desire to use the unit for an individual, family, or non-residential purpose. The lease must provide for automatic renewal after the initial term of the lease.

Filling Vacancies [24 CFR 983.254(a)]: To fill vacant project-based units, the EDCPHA will refer individuals from a waiting list (who have been pre-determined to meet the eligibility requirements) to the property owner. As required under legislation, applicants are selected without reference to race, color, religion, national origin, sex, marital status, disability, or handicap.

While maintaining the responsibility for administering the PBVs, EDCPHA has no responsibility or liability to the property owner or any other person for the family's behavior or suitability for tenancy. The owner is responsible for screening and selection of the family referred by EDCPHA to occupy the owner's unit based on their tenancy histories. Property owners cannot deny tenancy based on the applicant having been or currently being a victim of domestic violence, dating violence, sexual assault, or stalking. However, the applicant must be otherwise eligible for tenancy. (See 24 Code of Federal Regulations (CFR) 982.452(b)(1).)

In adherence with 24 CFR 983.254(a), County contracted PBV property owners must notify the EDCPHA via email at edcha@edcgov.us or mail within five (5) business days about learning of a vacancy or expected vacancy in a contracted PBV unit. After receiving such notice, the EDCPHA will make every reasonable effort to promptly refer household(s) to the property owner to fill such vacancies within ten (10) business days.

The EDCPHA mailing address is:

El Dorado County Public Housing Authority
3047 Briw Rd.
Placerville, CA 95667

3.0 ELIGIBILITY

As the PBVs made available through this solicitation are a part of the HUD framework, the vouchers are subject to HUD requirements and regulations specific to PBVs, which can be found in 24 CFR 983. Before selecting a PBV proposal, EDCPHA must determine that the proposal complies with HUD PBV requirements and regulations, including a determination that the property is eligible housing (24 CFR 983.4, 983.53 and 983.54), that the property complies with the cap on the number of PBV units per project (24 CFR 983.56), and that the property meets the site selection standards (24 CFR 983.57).

To be eligible for consideration under this RFP, Proposers must include the items identified below with their proposal submission to allow the EDHPHA to determine that the proposal meets additional minimum requirements including:

- a) Provide evidence of current site control (e.g., grant deed, option, deposit receipt, lease) by property owner or developer for the proposed housing unit(s), or, if site control is in process, attach the property "Sale Agreement" to show future site control, attached to proposal submissions, labeled "Site Control Evidence".
- b) Certify that the property owner and other project principles are not on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement Programs. To meet this requirement, Proposers must complete Attachment H, Debarment and Suspension Certification Form – HUD 50071 (attached to this RFP) and attach the completed form labeled Attachment H-Debarment to their proposal submission.
- c) Proposed monthly gross contract rent included on page 9 of Attachment C, County of El Dorado Project-Based Voucher Program Application, must fall within one hundred ten percent (110%) of the fair El Dorado County Section 8 Fair Market Values in accordance with 24 CFR 983.301, in adherence with Attachment B – El Dorado County 2022 Fair Market Rents.
- d) Proposers of new construction or rehabilitation projects must certify that no rehabilitation or construction has begun prior to the execution of the AHAP, in the Cover Letter, as noted in Section 4.1, "Cover Letter" of this RFP (this certification does not apply to existing housing units).

If a proposal does not meet the requirements above and/or a Proposer does not provide the attachments (articles a-d) indicated above, it will be considered nonresponsive and will not be evaluated further.

4.0 PROPOSAL FORMAT REQUIREMENTS

Each response to this RFP shall include the information described in this section. Failure to include all of the elements specified may be cause for rejection. Additional information may be provided but should be succinct and relevant to the goals of this RFP. Excessive information will not be considered favorably. The document shall be 8-1/2 inches by 11 inches in size or shall be folded to that size.

Unnecessarily elaborate responses, enclosures, and specialized binding are not desired, and may be construed as an indication of Proposer's lack of cost consciousness.

All proposals shall contain the following elements, and in the order given:

4.1 Cover Letter with the following information:

- Title and number of this RFP
- Name and Mailing Address of Firm (include physical location if mailing address is a P.O. Box)
- Year the firm was established
- Type of organization of firm (partnership, corporation, etc.)
- Firm's organization structure, its constituent parts and size variation of staff in the past five (5) years
- Proposer's Primary Contact person including telephone number, fax number, e-mail address, and physical mailing address
- The cover letter must also include the following required statements and/or certifications:
 - a. **Public Records Act** – I/We acknowledge that the proposal and its contents are not considered proprietary; OR I/We have identified the following portions of our proposal in detail that I/we wish to declare as proprietary and/or confidential and have included detailed reasons, including specific exemptions allowed by the California Public Records Act/Government Code. (Proposers shall list the portions and reasons following this statement. Please note that all proposals may be considered public information. Subsequent to award of this RFP, all or part of any proposal may be released to any person or firm who may request it. Therefore, proposers may request in their Cover Letter if any portion of their proposal should be treated as proprietary and not released as public information (refer to Section 13, Public Records Act, below for additional information)).
 - b. **Substitution of Designated Staff** – I/We assure that the designated project team, including sub-contractors (if any), is used for this project and that departure or reassignment of, or substitution for, any member of the designated project team or sub-contractor(s) shall not be made without the prior written approval of the County.
 - c. **Conflict of Interest** – I/We warrant that no official or employee of the County has an interest, has been employed or retained to solicit or aid in the procuring of the resulting contract, nor that any such

person will be employed in the performance of such contract without immediate divulgence of such fact to the County in writing.

- d. **Non-Collusion** – I/We warrant that this offer is made without any previous understanding, agreement or connection with any person, firm, or corporation submitting a separate proposal for the same project and is in all respects fair, without outside control, collusion, fraud or otherwise illegal action.
- e. **Sample Agreement and Insurance Requirements** – I/We agree with the provisions contained within the sample Housing Assistance Payment (HAP) Agreement included as Attachment A, to this RFP and can/will meet the indemnity and insurance requirements without alterations to the County’s requirements and that the cost of complying with the County’s insurance requirements is included in our cost proposal. I/We agree to provide complete and valid insurance certificates within ten (10) days of the County’s written request and acknowledge that failure to provide the documents within the time stated may result in the rejection of this proposal.
- f. **(If Applicable) Proposers of new construction or rehabilitation projects** must certify that no rehabilitation or construction has begun prior to the execution of the AHAP (this certification does not apply to existing housing units).
- g. **Debarment and Suspension Certification** – Title 49, Code of Federal Regulations, Part 29 – Proposer certifies that, under penalty of perjury, except as noted, Proposer or any other person associated therewith in the capacity of owner, partner, director, officer, manager, including any proposed subconsultants:
 - is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency.
 - has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past three (3) years.
 - does not have a proposed debarment pending.
 - has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years.

Any exceptions to the above are included in the Exceptions portion of our response, including to whom it applies, initiating agency, and dates of action. **Note to Proposer:** Exceptions will not necessarily result in denial of award but will be considered in determining the firm’s responsibility. Providing false information may result in criminal prosecution or administrative sanctions. The above certifications are part of the Proposal.

4.2 Signatory Requirements: In order to receive consideration, the Cover Letter must be signed (electronic signatures are acceptable) by an officer empowered by the Proposer to sign such material and thereby commit the Proposer to the obligations contained in the RFP response. **Further, the signing and submission of a response shall indicate the intention of the Proposer to adhere to the provisions described in this RFP and a commitment to enter into a binding contract.**

Proposals shall be signed by one of the following representatives:

- If the Proposer is a **partnership**, proposal shall be signed in the firm name by a partner or the Attorney-In-Fact. If signed by the Attorney-In-Fact, there shall be attached to the proposal a Power-Of-Attorney evidencing authority to sign proposals, dated the same date as the proposal and executed by all partners of the firm.
- If the Proposer is a **corporation**, the proposal shall have the correct corporate name thereon and the actual signature of the authorized officer of the corporation written (not typed) below the corporate name. The title of the office held by the person signing for the corporation shall appear below the signature of the officer.
- If the Proposer is an **individual** doing business under a firm name, the proposal shall be signed in the name of the individual doing business under the proper firm name and style.

4.3 Application for Project Based Vouchers (Attachment C):

Proposers must provide a completed Project Based Voucher Program Application, labeled "Attachment C, County of El Dorado Project-Based Voucher Program Application" with their proposal submission. The application must be fully complete; missing information will be considered a technical deficiency that may adversely impact the evaluation process to the detriment of the applicant.

4.4 Complete Owner Proposal Submission Requirements:

Proposers must provide a detailed description of the housing project included in the proposal to include the following descriptions, as applicable, based on the housing project type proposed for PBV assistance, to ensure the evaluation staff have an accurate understanding of the project being proposed. This description may include but is not limited to, maps, architectural drawings/designs, or other details relevant to the housing project.

- 1) For new construction projects:** Proposers must provide a complete proposal which should identify architectural elevations, setbacks, and massing that are considered acceptable for proposed use and in relation to adjacent land uses by associated city/county planning department

staff as evidenced by a Certificate of Permissive Zoning. The description should also include the estimated dates for the commencement and completion of construction and total number of units proposed in the project. If applying for tax credits or other subsidies for which PBVs may be used as match, include information on minimum match requirements.

2) **For rehabilitation housing projects**, Proposers must describe the property as is and must also describe the proposed rehabilitation plan, including the estimated date for the commencement and completion of rehabilitation.

3) Proposers of all project housing types should submit an **Operating Budget** with their proposal, to include a basic project financing schedule to include the following as applicable to the proposed housing type listed:

a) For **new construction or rehabilitated** housing units only, the budget should include:

- A sources and uses of funds table to include the required estimate of construction costs.
- A detailed estimate of anticipated project construction costs prepared by either a general construction contractor deemed reasonably qualified to construct the project or a professional cost estimating firm.
- A twenty (20) year operating budget presenting anticipated initial contract rents for all units, both assisted and unassisted through PBV.

b) For **existing housing** only: Proposers should provide a projected twenty (20)-year operation budget presenting anticipated initial contract rents for all units, both assisted and unassisted through PBV.

4.5 **Certification of Equal Opportunity (Attachment D):** Proposers must submit a completed and executed copy of the Certification of Equal Opportunity form labeled “Attachment D, Certification of Equal Opportunity” with their proposal submission.

4.6 **Disclosure of Lobbying Activities (Attachment E):** Proposers must submit a completed and executed copy of the Disclosure of Lobbying Activities form labeled “Attachment E, Disclosure of Lobbying Activities” with their proposal submission.

4.7 **Certification of Census Tract (Attachment F):** Proposers must submit a completed and executed copy of the Certification of Census Tract form, labeled “Attachment F, Certification of Census Tract” with their proposal

submission. (HUD provides a [PBV Census Lookup](#) tool which assists users to determine if an address falls into a tract that has an average poverty level of twenty percent (20%) or less.)

- 4.8 Certifications of Payments to Influence Federal Transactions HUD Form 50071 (Attachment G):** Proposers must submit a completed and executed copy of the Certification of Payments to Influence Federal Transactions form, labeled “Attachment G, Certification of Payments to Influence Federal Transactions” with their proposal submission.
- 4.9 Certification Regarding Debarment and Suspension HUD Form 2992 (Attachment H):** Proposers must submit a completed and executed copy of the Certification Regarding Debarment and Suspension form, labeled “Attachment H, Certification Regarding Debarment and Suspension” with their proposal submission.
- 4.10 Applicant/Recipient Disclosure/Update Report HUD-2880 (Attachment I):** Proposers must submit a completed and executed copy of the Applicant/Recipient Disclosure/Update Report (HUD-2880) form, labeled “Attachment I, Applicant Disclosure Update” with their proposal submission.
- 4.11 Uniform Relocation Act Certification (Attachment J):** Proposers must submit a completed and executed copy of the Uniform Relocation Act Certification form, labeled “Attachment J, Uniform Relocation Act Certification” with their proposal submission.
- 4.12 Certification of Participation in the Low-Income Housing Tax Credit (LIHTC) Program (Attachment K):** Proposers must submit a fully executed copy of the Certification of Participation in the LIHTC Program form, (indicating their intent to participate) attached to this RFP as “Attachment K, Certification of Participation in the LIHTC”.
- 4.13 Design Architect’s Certification (Attachment L) *if applicable*:** Proposers of new construction and rehabilitation projects must submit an executed copy of the Design Architect’s Certification form, attached to this RFP as “Attachment L, Design Architect Certification”.
- 4.14 Certification of Permissive Zoning (Attachment M) *if applicable*:** Proposers of new construction and rehabilitation projects must submit a completed, fully executed copy of the Certification of Permissive Zoning form, signed by the County Planning Department, labeled “Attachment M, Certification of Permissive Zoning” with their proposal submission.

Proposers who do not fully complete and attach all items detailed above, Articles 4.1 – 4.12, and 4.13 and 4.14 for new construction and rehabilitation projects, will be considered nonresponsive and not be evaluated further.

5.0 PROPOSER QUESTIONS

- 5.1 Questions regarding this RFP must be submitted in writing by email or U.S. mail to the Procurement and Contracts Office, or using the PlanetBids website, and must be received no later than 5:00:00 p.m. (Pacific) on **March 16, 2023**.
- 5.2 All emails must have “**RFP #23-952-029– QUESTION**” as their subject, and all envelopes or containers must be clearly marked “**RFP #23-952-029– QUESTION**” for convenience purposes. Emails, envelopes, and/or containers not clearly labeled may be overlooked and not responded to.
- 5.3 Questions will not be accepted by telephone, facsimile (fax), or orally.
- 5.4 The County reserves the right to decline a response to any question if, in County’s assessment, the information cannot be obtained and shared with all potential organizations in a timely manner.
- 5.5 A summary of the questions submitted, including responses deemed relevant and appropriate by County, will be posted to the PlanetBids website on or about **March 24, 2023**. Any addenda to this RFP is valid only if in writing and issued by the County Procurement and Contracts Division.
- 5.6 All inquiries regarding this RFP shall be submitted by email to: annika.andersson@edcgov.us or by U.S. Mail to:

County of El Dorado
Procurement and Contracts
330 Fair Lane
Placerville, California 95667
RFP #23-952-029 – Question

- 5.7 Proposers are cautioned that they are not to rely upon any oral statements that they may have obtained. Proposers shall direct all inquiries to the contact above and shall not contact the requesting department or other County staff directly regarding any matter related to this RFP. Information provided by other than Procurement and Contracts staff may be invalid and proposals which are submitted in accordance with such information may be declared non-responsive.

6.0 PROPOSAL SUBMITTAL INSTRUCTIONS

- 6.1 Proposers are strongly encouraged to submit their responses online to assure a complete and timely response. To respond online firms must register with the County’s online bidding system, PlanetBids, at <https://pbsystem.planetbids.com/portal/48157/portal-home>.

Proposers are cautioned that the timing of their online submission is based on when the submittal is RECEIVED by PlanetBids, not when a submittal is initiated by a Proposer. Online submittal transmissions can be delayed in an “Internet Traffic Jam” due to file transfer size, transmission speed, etc. For these reasons the County recommends that Proposers allow sufficient time to upload their response and attachment(s) (if applicable) and to resolve any issues that may arise. The closing date and time shall be governed by the PlanetBids web clock, which does not allow submittals after the closing date and time. PlanetBids will send a confirmation email to the Proposer advising that their online submission (eBid) was submitted. If you do not receive a confirmation email you are advised to contact the PlanetBids Support team by phone (818-992-1771 Monday through Friday between 7 a.m. and 5 p.m. Pacific, excluding statutory U.S. holidays) or by submitting a Support Ticket (visit <https://solutions.planetbids.com/support/> to complete and submit the ticket form).

- 6.2** Proposers that decide to submit a hard-copy response do so at their own risk. All hard-copy submittals must include all of the same information required for online submittals. Incomplete submittals will be rejected as non-responsive. Proposers shall submit one (1) original hard-copy and one (1) electronic copy of their proposal in PDF format on a flash/USB drive. All hard-copy submittals shall be submitted in a sealed envelope or container and clearly marked “**RFP #23-952-029 PBV Proposal**” on the outside of the envelope.
- 6.3** It is the sole responsibility of the Proposer to ensure that the proposal is received in the Procurement & Contracts Division prior to the RFP submittal deadline. All responses must be submitted not later than the date and time posted on PlanetBids.

Hard-copy proposals shall be submitted ONLY to:

County of El Dorado
Procurement and Contracts Division
330 Fair Lane
Placerville, CA 95667

- 6.4** The County shall not be responsible for proposals delivered to a person or location other than specified herein. Proposals submitted to a location other than the above will not be considered duly delivered or timely. The County shall not be responsible for rerouting proposals delivered to a person or location other than that specified above.
- 6.5** Faxed or emailed proposals shall not be accepted.
- 6.6** Late proposals will not be accepted or considered.

- 6.7 All proposals, whether selected or rejected, shall become the property of the County and shall not be returned.
- 6.8 The County reserves the right to waive minor defects and/or irregularities in proposals, and shall be the sole judge of the materiality of any such defect or irregularity.
- 6.9 All costs associated with proposal preparation, including any interviews conducted at the sole discretion of the County, shall be borne by the Proposer.
- 6.10 County staff will open proposals following the submittal deadline. The only information that will be made available to the public after the submittal deadline has passed will be the names of the Proposers that submitted proposals. The contents of all proposals, or any other medium which discloses any aspect of the proposal, shall be held in strictest confidence until the County releases a Notice of Award or Notice of Intent to Award.
- 6.11 Any hard-copy proposal received prior to the date and time specified for receipt of proposals may be withdrawn or modified by written request of the Proposer. Requests for modification must be received in writing, and in the same number of copies as the original submittal, prior to the date and time specified above for receipt of proposals.

7.0 EVALUATION PROCESS

All proposals will be evaluated initially to determine if they are responsive to the requirements of this RFP. An evaluation panel, consisting of County staff and members selected by County staff, will review and evaluate all responsive proposals received by the submittal date as set forth in this RFP, or as amended by addenda, and the proposals will be evaluated according to the matrix below, and based on the thoroughness, clarity, and quality of the material presented. The County reserves the right to request additional information and clarification of any information submitted and to allow corrections of errors or omissions.

Proposers who have the qualifications (expertise and skills) and experience (documented, successful, and relevant) necessary to meet the requirements of this RFP will be scored and ranked using the criteria and point assignments listed below.

Each factor is comprised of several components with an associated point value. The total points awarded to an application will be an aggregate of the component subtotals. The minimum number of points an application must have to proceed in the process is 60% of the total maximum points (96 points for the new construction or rehabilitation projects; 78 points for existing projects). Existing housing project proposals will have 35 points added to the final score to allow for the preference to existing projects.

Evaluation Criteria – Written Proposals		Maximum Possible Points	
		<i>New/Rehab</i>	<i>Existing</i>
A.	Location Promotes Deconcentration of Poverty, Expanded Housing, and Economic Opportunities	35	35
B.	Site Location Adequacy	20	20
C.	Property Ownership, Development, and Management Experience	40	40
D.	Design Adequacy	20	5
E.	Supportive Services Provided (no additional cost to resident)	10	10
F.	Project Feasibility – Site Control/Financial	35	20
G.	References	10	10
TOTAL POSSIBLE POINTS		170	140

Specific point values associated with each evaluated variable are listed in “Attachment O, RFP Evaluation Scoring Matrix”.

Projects will be awarded vouchers in rank order up to a total of fifty (50) vouchers. If there are an insufficient number of vouchers available for all eligible proposals, the vouchers will be awarded to the applicants with the highest number of points. In the event of a tie, the selection will be based on the date and time of the application receipt.

Evaluation Criteria – Interviews (if held)

If the County elects to hold interviews, the top ranked Proposers from the written proposal evaluation may be invited participate, with the following evaluation criteria and rating points used to evaluate the Proposers who are invited to interview.

	Evaluation Criteria – Interviews	Maximum Possible Points
A.	Experience and Qualifications of Firm	20
B.	Experience and Qualifications of Staff related to managing PBV housing units	30
C.	Response to Interview Questions	30
D.	Workload Capacity and Understanding of the Scope of Work	20
TOTAL POSSIBLE POINTS		100

8.0 SELECTION PROCEDURE

- 8.1** Proposals will be reviewed for responsiveness. A selection committee will then evaluate responsive proposals in accordance with the criteria specified in Section 7.0 above. The firm(s) submitting the highest ranked proposals may be invited for an interview. Interviews will be conducted solely at the County's option. The County reserves the right to select the most qualified firm solely on the content of the proposal. If the County chooses to conduct interviews, the Proposer's Primary Contact identified in the Proposer's Cover Letter shall represent the Proposer at the interview at a minimum. After evaluation of the interviews, the Committee will recommend the firm(s) with the highest overall value, based on evaluation ranking, for approval by the County Purchasing Agent or Board of Supervisors.
- 8.2** The County reserves the right to make an award without further discussion of the proposal with the Proposer. Therefore, the proposal should be submitted initially on the most favorable terms that the firm or individual may propose.
- 8.3** The County reserves the right to award one or more contracts to the firms or individuals who, in the sole judgment of the County, present the most favorable response to this RFP pursuant to the evaluation criteria indicated above.
- 8.4** In the case of differences between written words and figures in a proposal, the amount stated in written words shall govern. In the case of a difference in unit price versus the extended figure, the unit price shall govern.
- 8.5** The County reserves the right to reject any and all proposals, or to waive minor irregularities in said proposals, or to negotiate minor deviations with the successful firm. The County shall be the sole judge of the materiality of any such defect or irregularity.
- 8.6** The Procurement and Contracts Division does not mail out hard copy letters advising participating Proposers of RFP results. For RFP results, please visit the PlanetBids website at:

<https://pbsystem.planetbids.com/portal/48157/portal-home>

RFP results are also available at:

<https://www.edcgov.us/Government/Contracts/Pages/Bid-Results.aspx>

- 8.7** The results of this RFP will be posted on the PlanetBids and County website listed in Section 8.6 above at the earliest possible opportunity in accordance with County policy. The timeline for posting RFP results may vary depending on the nature and complexity of the RFP.
- 8.8** Response and selection of a proposal will not necessarily result in the award of a contract with the County. The act of opening a submittal and selecting a Proposer does not constitute awarding of a contract. Contract award is by action of the Purchasing Agent or Board of Supervisors and is not in force until fully executed.
- 8.9** Once contract negotiations are initiated, the County reserves the right to select the next ranked Proposer if for any reason a contract cannot be negotiated with the selected Proposer.

9.0 EL DORADO COUNTY WEBSITE REQUIREMENTS

It is the Proposer's responsibility to monitor the PlanetBids website for possible addenda to this RFP to inform him/herself of the most current specifications, terms, and conditions, and to submit his/her proposal in accordance with original RFP requirements and all required addenda. All available RFPs and related addenda can be found at:

<https://pbsystem.planetbids.com/portal/48157/portal-home>

Failure of Proposer to obtain this information shall not relieve him/her of the requirements contained therein. Those Proposers not acknowledging and returning Addenda as required will not be considered and will be rejected as "nonresponsive."

10.0 REJECTION OF PROPOSALS

Proposers interested in being considered must submit a proposal in compliance with this RFP. Failure to meet the minimum requirements of the RFP shall be cause for rejection of the proposal. The County reserves the right to reject any or all proposals.

The County may reject a proposal if it is conditional, incomplete, contains irregularities, or reflects inordinately high-cost rates.

11.0 VALID OFFER

Proposals shall remain valid for one hundred twenty (120) days from the due date. The County reserves the right to negotiate with the successful Proposer any additional terms or conditions not contained in their proposal which are in the best

interest of the County or to otherwise revise the scope of this RFP. This RFP does not constitute a contract or an offer of employment.

12.0 COUNTY RIGHTS

The County reserves the right to:

1. Request clarification of any submitted information.
2. Waive any irregularity or immaterial deviation in any proposal.
3. Not enter into any agreement.
4. Not select any Proposer.
5. Cancel this process at any time.
6. Amend this process at any time.
7. To award more than one (1) contract if it is in the best interest of the County.
8. Interview Proposers prior to award.
9. To request additional information during an interview.

Waiver of an immaterial deviation shall in no way modify the RFP documents or excuse the Proposer from full compliance with the contract requirements if the Proposer is awarded the contract.

13.0 CONFLICT OF INTEREST

Proposers warrant and covenant that no official or employee of the County, or any business entity in which an official of the County has an interest, has been employed or retained to solicit or aid in the procuring of the resulting agreement, nor that any such person will be employed in the performance of such agreement without immediate divulgence of such fact to the County. Proposals shall contain a statement to the effect that the Proposer is not currently committed to another project that would constitute a conflicting interest with the project defined in this RFP.

14.0 PUBLIC RECORDS ACT

Pursuant to the California Public Records Act ("CPRA"), the County may be required to produce records of this transaction, upon third party request, subject to various statutory exemptions. Please indicate what exemptions may apply to the information you submit (such as a 'proprietary information' exemption – refer to Section 4 for submittal instructions). Please note that designating information as "proprietary" does not guarantee non-disclosure.

In the event of a request for such information, the County will make best efforts to provide notice to Proposer prior to such disclosure. If Proposer contends that any documents are exempt from the CPRA and wishes to prevent disclosure, it is required to obtain a protective order, injunctive relief or other appropriate remedy from a court of law in El Dorado County before the County's deadline for responding to the CPRA request. If Proposer fails to obtain such remedy within County's deadline for responding to the CPRA request, County may disclose the requested information. The County shall not in any way be liable or responsible for the disclosure of any such records.

Proposer further agrees that it shall defend, indemnify and hold County harmless against any claim, action or litigation (including but not limited to all judgments, costs, fees, and attorney's fees) that may result from denial by County of a CPRA request for information arising from any representation, or any action (or inaction), by the Proposer.

15.0 BUSINESS LICENSE REQUIREMENT

It is unlawful for any person to furnish supplies or services, or transact any kind of business in the unincorporated territory of El Dorado County without possessing a County business license unless exempt under County Code Section 5.08.070. Contact the Tax Collector's Office at 360 Fair Lane, Placerville, CA 95667, or phone (530) 621-5800, for further information.

It is not a requirement to possess a County business license at the time of proposal submittal. Selected Proposers may be required to possess a County business license to award contract.

16.0 PUBLIC AGENCY

It is intended that other public agencies (i.e., city, special district, public authority, public agency, and other political subdivisions of the State of California) shall have the option to participate in any agreement created as a result of this RFP with the same terms and conditions specified therein, including pricing. The County shall incur no financial responsibility in connection with any agreement from another public agency. The public agency shall accept sole responsibility for contracting for services and making payment to the vendor.