



SAN DIEGO
HOUSING
COMMISSION

San Diego Housing Commission Notice of Funding Availability (NOFA) Permanent Supportive Housing Application and Attachments

Release Date: November 12, 2014

San Diego Housing Commission
1122 Broadway, Suite 300
San Diego, CA 92101
www.sdhc.org





Interested Applicants must submit a single Application for one or more of the following specified funding sources:

1. Combination of federal Project-Based Housing Vouchers and federal Sponsor-Based Housing Vouchers -
250 available (respondents may apply for one type of voucher or a combination of both)
2. U.S. Department of Housing and Urban Development Veterans Affairs Supportive Housing (HUD-VASH) Project-Based Housing Vouchers – 25 available
3. Flat Housing Subsidy Program for Youth Aging Out of the Foster Care System -
25 subsidies available for a pilot program
4. Up to \$10 million of development funds from diverse federal, state and local funding sources, administered by the San Diego Housing Commission (SDHC)
5. FTEH- up to \$240,000 for operational support, legal support, training, and technical assistance

NOFA proposal applications must consist of one signed original, five signed copy, and one electronic copy on a disc or thumb drive. Faxed copies will not be accepted. Applicable forms are available online.

The NOFA solicitation packet with complete instructions is available for download at www.demandstar.com. If you do not have a user name or password for the Onvia DemandStar website, please register at <http://www.onvia.com/demandstar-subscriptions>. Organizations may register for free by selecting the “Free Agency” option link on the Onvia DemandStar website. Onvia DemandStar representatives are available to assist with any questions at 1-800-711-1712.

All addenda, question-and-answer responses, and NOFA updates also will be posted on the Onvia DemandStar website. All interested applicants should regularly visit the OnviaDemandStar website for project updates.

Send or deliver proposals to:

"2014 Permanent Supportive Housing NOFA"
San Diego Housing Commission
1122 Broadway, Suite 300
San Diego, CA 92101
Attention: Ralph Tharp, Procurement Department

Pre-Application Meeting will be conducted:

Tuesday, November 18, 2014
10:00 am – 12:00 pm
San Diego Housing Commission
1122 Broadway, 5th Floor
San Diego, CA 92101



Clarification During Application Period & RSVP to the Pre-Application Meeting:

Request for clarification of specifications, if any, during the application period and RSVP's for the pre-application meeting shall be directed by email to Ralph Tharp at ralpht@sdhc.org

Applications that propose to apply to the California Tax Credit Allocation Committee (TCAC), California Debt Limit Allocation Committee (CDLAC) or California Department of Housing & Community Development (HCD) must submit their applications to SDHC at least 75 days prior to the respective TCAC, CDLAC and HCD application deadlines.



Table of Contents

FORM OF APPLICATION	1
PROJECT REVIEW DOCUMENTS	4
ATTACHMENT 1	5
<i>General Application</i>	5
ATTACHMENT 2	7
<i>Application Certification</i>	7
ATTACHMENT 3	8
<i>Amenities Checklist</i>	8
ATTACHMENT 4	9
<i>Statement for Public Disclosure</i>	9
ATTACHMENT 5	22
<i>Evidence of Compliance with Previous SDHC Loans</i>	22
ATTACHMENT 6	24
<i>HUD Form 5369-B</i>	24
ATTACHMENT 7	26
<i>HUD Form 5369-C</i>	26
ATTACHMENT 8	28
<i>HUD Form 2880</i>	28
ATTACHMENT 9	31
<i>HUD Subsidy Layering Review Checklist (HUD-Performed Review)</i>	31
ATTACHMENT 10	33
<i>TCAC Subsidy Layering Review Checklist (TCAC-Performed Review)</i>	33
ATTACHMENT 11	35
<i>Certification of Subsidy Eligibility</i>	35
ATTACHMENT 12	36
<i>Project-Based Housing Voucher (PBV) Rent Table</i>	36
ATTACHMENT 13	37
<i>Project-Based Housing Voucher (PBV) Exception List</i>	37
ATTACHMENT 14	38
<i>HUD-VASH Project-Based Housing Voucher Acknowledgement Form</i>	38
ATTACHMENT 15	39
<i>Non-Collusive Affidavit</i>	39
ATTACHMENT 16	40
<i>Section 3 of the Housing & Urban Development Act of 1968</i>	40
<i>Certification of Compliance</i>	40
ATTACHMENT 17	44
<i>Statement & Certification Regarding Debarment</i>	44
ATTACHMENT 18	45
<i>Occupancy Restrictions & Rent Calculations</i>	45
ATTACHMENT 19	46
<i>San Diego Housing Commission Utility Allowance Schedule</i>	46
ATTACHMENT 20	47
<i>Utility Responsibilities Chart</i>	47
ATTACHMENT 21	48
<i>Housing Choice Voucher Payment Standards</i>	48
ATTACHMENT 22	50
<i>Equal Employment Opportunity Certificate of Compliance</i>	50
ATTACHMENT 23	51
<i>Affirmative Fair Housing Marketing Plan</i>	51
ATTACHMENT 24	52
<i>Workforce Report</i>	52
ATTACHMENT 25	53
<i>Sample SDHC Insurance Requirements</i>	53



SAN DIEGO
HOUSING
COMMISSION

ATTACHMENT 26.....	55
<i>HOME Program Basics</i>	55
ATTACHMENT 27	60
<i>Consolidated Plan Certification Process</i>	60
ATTACHMENT 28.....	62
<i>Management Plan Checklist</i>	62
ATTACHMENT 29.....	64
<i>Relocation Consulting Firms</i>	64
ATTACHMENT 30.....	65
<i>Sample Board Resolution</i>	65
ATTACHMENT 31.....	67
<i>SDHC Sustainable Development Guidelines</i>	67
ATTACHMENT 32.....	68
<i>Housing Assistance Payment Contract</i>	68
ATTACHMENT 33.....	69
<i>Sample Housing Assistance Payment Contract</i>	69



Form of Application

INSTRUCTIONS: The items listed below must be completed and included in the application submittal unless otherwise specifically noted. Please complete this form by marking (X), where provided, to indicate that the referenced information has been included. In addition, complete the application request list below, including the number of each type of federal housing vouchers, Sponsor-Based Housing Voucher units, and amount of funding requested.

- | | |
|---|--|
| <input type="checkbox"/> Project-Based Housing Vouchers: _____ | <input type="checkbox"/> Development Funding Amount: \$ _____ |
| <input type="checkbox"/> Sponsor-Based Housing Vouchers: _____ | <input type="checkbox"/> Funders Together to End Homelessness Funding Amount: \$ _____ |
| <input type="checkbox"/> HUD-VASH Project-Based Housing - Vouchers: _____ | |
| <input type="checkbox"/> Subsidies for Transitional Age Youth: _____ | |

Submit one (1) original application and four (4) additional copies (all pages 8 ½ x 11 inches) and one (1) CD-R containing the original application in the following order:

Submittal Items		Item Included
Tab 1	Submit for All Applications: <input type="checkbox"/> Completed Form of Application <input type="checkbox"/> General Application <input type="checkbox"/> Project Pro forma, if applicable <input type="checkbox"/> Application Certification	
Tab 2	Submit for All Applications: <input type="checkbox"/> Service Provider Agreement <input type="checkbox"/> Service Delivery Plan	
Tab 3	Submit for HUD-VASH Voucher Applications Only: <input type="checkbox"/> HUD-VASH Voucher Supplemental Application	
Tab 4	Submit for All Applications (does not apply to subsidies using a tenant-based model): <input type="checkbox"/> Preliminary Title Report <input type="checkbox"/> Evidence of Site Control (executed purchase option or sales contract) <input type="checkbox"/> Evidence of Compliance with Zoning <input type="checkbox"/> Site Appraisal by a California licensed MAI (no older than three months)	
Tab 5	Submit for request for Development Financing: <input type="checkbox"/> Developer’s Board Resolution authorizing submittal of application and identifying persons authorized to execute documents. <input type="checkbox"/> Developer’s Disclosure Statement, if applicable Submit for request for Development Financing – Non-Profit Developer & Non-Profit Service Provider <input type="checkbox"/> Board Member List – Include Name, Title, Organization, and indicate voting members <input type="checkbox"/> Meeting Minutes for the past three (3) Board Meetings <input type="checkbox"/> Most Recent Annual Financial Statement	
Tab 6	Submit for Rehabilitation Projects Only: <input type="checkbox"/> Physical Needs Assessment <input type="checkbox"/> Rehabilitation Scope of Work <input type="checkbox"/> Rehabilitation Cost Estimate <input type="checkbox"/> Tenant Rent Rolls	



Tab 7	Submit for request for Development Financing: <input type="checkbox"/> Evidence of Compliance with Previous SDHC Loans <input type="checkbox"/> Summary Statement of Previous Residual Receipts Payments on Previous SDHC Loans <input type="checkbox"/> Narrative Describing Operating Reserves and Replacement Reserves	
Tab 8	Submit for request for Federal Project-Based Housing Vouchers & Sponsor-Based Housing Vouchers: <input type="checkbox"/> HUD Form 5369-C <input type="checkbox"/> HUD Form 2880 <input type="checkbox"/> Certification of Subsidy Eligibility <input type="checkbox"/> Project-Based Housing Voucher Rent Table <input type="checkbox"/> Project-Based Housing Voucher Exception List <input type="checkbox"/> Utilities Responsibility Chart	
Tab 9	Submit for all applications: <input type="checkbox"/> Non-Collusive Affidavit (Attachment 14) <input type="checkbox"/> Section 3 Compliance Certification (Attachment 15) <input type="checkbox"/> Statement & Certification Regarding Debarment (Attachment 16)	

The application and the above listed items have been reviewed for completeness using the checklist on pages 1 – 2.

Authorized Signature

Date



Attachment Title	Attachment Number	Required for Development Financing	Required for Federal Housing Vouchers	Development Financing Reference	Federal Housing Vouchers Reference
Form of Application		X	X		
General Application	1	X	X		
Application Certification	2	X	X		
Amenities Checklist	3	X	X		
Developer's Disclosure Statement	4	X			
Evidence of Compliance with Previous SDHC Loans	5	X			
HUD Form 5369-B	6				X
HUD Form 5369-C	7		X		
HUD Form 2880	8		X		
HUD Subsidy Layering Review Checklist	9				X
TCAC Subsidy Layering Review Checklist (TCAC Performed Review)	10				X
Certification of Subsidy Eligibility	11		X		
Project-Based Housing Voucher Rent Table	12		X		
Project-Based Housing Voucher Exception List	13		X		
HUD-VASH Voucher Certification	14		X		
Non-Collusive Affidavit	15	X	X		
Section 3 Compliance Certification	16	X	X		
Statement & Certification Regarding Debarment	17	X	X		
Occupancy Restrictions and Rent Calculations	18			X	X
Utility Allowance Schedule	19			X	X
Utilities responsibility chart	20		X		
Housing Choice Voucher Payment Standards - Fair Market Rents	21				X
Equal Opportunity Certification of Compliance	22			X	X
Affirmative Fair Housing Marketing Plan	23			X	
Workforce Report	24			X	
Sample of SDHC Insurance Requirements	25			X	X
HOME Program Basics	26			X	
City of San Diego Consolidated Plan Certification Process	27			X	
Management Plan Checklist	28			X	
Relocation Consulting Firms	29			X	
Sample Board Resolution	30			X	
Sustainable Development Guidelines	31			X	
Agreement to enter into Housing Assistance Payment Contract (AHAP)	32				X
Housing Assistance Payment Contract (HAP)	33				X



Project Review Documents

Additional Items Needed Before Proceeding to SDHC Board (does not apply to federal housing voucher programs using a tenant-based model):

- 1. Affirmative Fair Housing Marketing Plan (use Attachment 22)
- 2. Certificate of Compliance with SDHC's Equal Opportunity Program (use Attachment 21)
- 3. City of San Diego Consolidated Plan Certification (use Attachment 26)
- 4. Evidence of Community Group Review if project involves new construction, increased density, a change of land use, acquisition of more than 15 units on one site, or public ownership of the property.
- 5. California Environmental Quality Act (CEQA) Environmental Review Completed
- 6. HUD Authority to Use Grant Funds under National Environmental Policy Act (NEPA)
- 7. Lead Paint and Asbestos Review (rehabilitation projects)
- 8. HOME Program Basics – if HOME funds are used – (see Attachment 25 for more information)
- 9. Relocation Plan and Relocation Noticing to Tenants (Completed by Relocation Consultant)
- 10. Audited Financial Statements within the last 12 months.
- 11. Board of Directors Certification (Nonprofits only)
- 12. Board of Directors Meeting Minutes for last 3 meetings (Nonprofits only)
- 13. Schedule and Analysis of Real Estate Owned
- 14. Market Study

Additional Items Needed Before Proceeding to SDHC Loan Funding or Execution of Agreement to enter into Housing Assistance Payment Contract (AHAP) as applicable to the project:

- 1. ALTA Title Report
- 2. Construction Agreement with SDHC Approval
- 3. Borrower Attorney's Opinion Letter
- 4. Certified Escrow Instructions
- 5. Evidence of Funding Commitments – Letters to identify funder contact information
- 6. Certificates of Insurance for Property Insurance and Liability Insurance
- 7. Management Plan (see Attachment 27)
- 8. Partnership Agreement, Articles of Incorporation, and By-Laws
- 9. Copies of Other Lenders' Loan Documents
- 10. SDHC Attorney Approval and Loan Documents Execution
- 11. Copy of plans and specifications
- 12. An architect's certification verifying the work reflected in the plans and specifications complies with the Americans with Disabilities Act (ADA), local code and zoning requirements, any other building requirements (i.e., Federal Emergency Management Agency) and will comply with Housing Quality Standards (HQS) requirements upon completion of the construction.
- 13. Completed Subsidy Layering Review and HUD/HCD Certification (see Attachments 9 and 10)



Attachment 1

General Application

1. General Information

Cover page must include the following Owner/Applicant information:

- Name
- Address
- Phone
- Project Contact

Attach a narrative of the proposed development, which includes the following:

- Development type (new construction, rehabilitation, or acquisition of existing units)
- Detailed description of the proposed project, including the target population (including HUD Area Median Income levels served) and the delivery of supportive services.
- Provide a description of the proposed housing, including the number of units by bedroom size and square footage. If Project-Based Housing Vouchers (PBV) or Sponsor-Based Housing Vouchers (SBV) are being requested, indicate the units for which the assistance will apply.
- Describe the existing uses of the property.
- Provide a street map that identifies the project and neighborhood boundaries.
- Identify the Community Plan Area and City Council District in which the project is located.
- Please describe how this proposal expands the supply of affordable housing for the target population.

2. Project Timeline, as Applicable

Community Planning Group Review	
TCAC Application Date:	
TCAC Allocation Date:	
CDLAC Application Date:	
CDLAC Allocation Date:	
HCD Application Date:	
HCD Award Date:	
Estimated Acquisition Date:	
Estimated Permanent Loan Closing Date:	
Estimated Date to Start Construction/Rehabilitation:	
Estimated Full Occupancy Date:	

3. Applicant Experience

Attach pages as necessary to describe the following:

- Organization (describe the following for your organization)
 - Mission Statement
 - Past activities/experience
 - Administrative structure
- Technical Capacity



- Describe your organization's capability to administer the housing development or program you propose.
- Describe the development team's experience in construction, and/or management and ownership.
- Attach resumes of staff and consultants specifically assigned to this development
- Describe your organization's ability to deliver high-quality services to the target resident population. Also describe your organization's ability to successfully develop and manage the real estate component of the development.
- Development Experience, as Applicable
 - Schedule of Real Estate Owned
 - Number of rental housing developments/units completed
 - Number of rental housing developments/units currently owned
 - Number of rental housing developments/units currently managed
 - Number of rental housing developments/units in development phase (funding committed, but not ready for occupancy)
- Development Experience with permanent supportive housing
 - Number of rental housing developments/units completed
 - Number of rental housing developments/units currently owned
 - Number of rental housing developments/units currently managed
- Service Provider
 - Number of rental households currently assisting
 - Type of services offered

4. Project Related Information

Attach pages as necessary to explain the following:

- Discuss relocation issues related to the proposed development.
 - Document the number of vacant units.
 - Provide a copy of current tenant rent rolls and income levels.
 - Document the number of households potentially subject to tenant relocation.
- Detail the status of entitlements and any relevant issues regarding land use or environmental concerns.
- Detail the sustainability features that will be provided and how the development meets SDHC's Sustainability Guidelines.
- Describe the extent to which the proposed development will involve other community organizations. (Attach letters of endorsement, if available.)
- Include the completed project amenities table (attachment 3).
- Include the proposed federal housing voucher rents and rent tables. See attachment 12.
- For PBV requests, complete the utilities responsibilities chart in attachment 19.
- For PBV requests, complete HUD Form-2880 in attachment 8.
- For PBV requests, complete the Certification of Subsidy Eligibility in attachment 11.
- For PBV requests, describe how this project furthers HUD's goal of deconcentrating poverty, all new PBV assistance agreements or Housing Assistance Payment contracts must be for units located in census tracts with poverty rates of less than 20 percent. See attachment 13 for exceptions.
- For PBV requests, PBVs shall not be awarded for units in an area of minority concentration. See attachment 13 for exceptions.
- Pro forma that includes the proposed development financial projections.
 - Development budget, sources and uses, income analysis, financing assumptions, operating and supportive services budget 55-year cash flow.



Attachment 2

Application Certification

The undersigned certifies under penalty of perjury that all statements made in this proposal are true and correct to the best of the undersigned's knowledge.

For agencies applying for PBVs, the undersigned agrees to comply with the terms of SDHC's Housing Choice Voucher (Section 8) Administrative Plan and the requirements of this NOFA.

SDHC's Housing Choice Voucher (Section 8) Administrative Plan can be reviewed at <http://www.sdhc.org/Resources/Agency-and-Community-Plans/>.

Authorized Signature (Board Officer)

Typed Name

Title

Date Signed



Attachment 3

Amenities Checklist

Amenity	Description of Amenity	Distance in miles from the project
<input type="checkbox"/> Health facility (e.g., medical clinic or hospital; not a private doctor's office)		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile
<input type="checkbox"/> Transit station, rail station, bus station or bus stop within ¼ mile from project site		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile
<input type="checkbox"/> Grocery store, supermarket or convenience store		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile
<input type="checkbox"/> Pharmacy		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile
<input type="checkbox"/> Public park or community center accessible to the general public		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile
<input type="checkbox"/> Public Library		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile
<input type="checkbox"/> Elementary, middle, or high school (if the project is a family project)		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile
<input type="checkbox"/> Senior center or facility offering daily services to seniors (if the project is a senior project)		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile
<input type="checkbox"/> Facility that operates to serve the population living in the development (if the project is a special needs project)		<input type="checkbox"/> on-site <input type="checkbox"/> ½ mile or less <input type="checkbox"/> more than ½ mile



Attachment 4

**DEVELOPERS/CONSULTANTS/SELLERS/CONTRACTORS/
ENTITY SEEKING GRANT/BORROWERS
(Collectively referred to as "CONTRACTOR" herein)
Statement for Public Disclosure**

1. Name of CONTRACTOR: _____
 2. Address and ZIP Code: _____
 3. Telephone Number: _____
 4. Name of Principal Contact for CONTRACTOR: _____
 5. Federal Identification Number or Social Security Number of CONTRACTOR: _____
 6. If the CONTRACTOR is not an individual doing business under his own name, the CONTRACTOR has the status indicated below and is organized or operating under the laws of California as:
 - A corporation (Attach Articles of Incorporation)
 - A nonprofit or charitable institution or corporation. (Attach copy of Articles of Incorporation and documentary evidence verifying current valid nonprofit or charitable status)
 - A partnership known as: _____
(Name)
- Check one:
- General Partnership (Attach Statement of General Partnership)
 - Limited Partnership (Attach Certificate of Limited Partnership)
 - A business association or a joint venture known as: _____
(Attach joint venture or business association agreement)
 - A Federal, State or local government or instrumentality thereof.
 - Other (explain)
7. If the CONTRACTOR is not an individual or a government agency or instrumentality, give date of organization:
 8. Provide names, addresses, telephone numbers, title of position (if any) and nature and extent of the interest of the current officers, principal members, shareholders, and investors of the CONTRACTOR, other than a government agency or instrumentality, as set forth below:
 - a. If the CONTRACTOR is a corporation, the officers, directors or trustees, and each stockholder owning more than 10 percent of any class of stock.
 - b. If the CONTRACTOR is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.

- c. If the CONTRACTOR is a partnership, each partner, whether a general or limited, and either the percent of interest or a description of the character and extent of interest.
- d. If the CONTRACTOR is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
- e. If the CONTRACTOR is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10 percent.(Attach extra sheet if necessary)

Name and Address	Position Title (if any) and percent of interest or description of character and extent of interest
Name:	
Address:	
Name:	
Address:	
Name:	
Address:	

- 9. Has the makeup as set forth in Item 8(a) through 8(e) changed within the last twelve (12) months? If yes, please explain in detail.

- 10. Is it *anticipated* that the makeup as set forth in Item 8(a) through 8(e) will change within the next twelve (12) months? If yes, please explain in detail.

- 11. Provide name, address, telephone number, and nature and extent of interest of each person or entity (not named in response to Item 8) who has a beneficial interest in any of the shareholders or investors named in response to Item 8, which gives such person or entity more than a computed 10 percent interest in the CONTRACTOR (for example, more than 20 percent of the stock in a corporation that holds 50 percent of the stock of the CONTRACTOR, or more than 50 percent of the stock in the corporation that holds 20 percent of the stock of the CONTRACTOR):

Name and Address	Position Title (if any) and percent of interest or description of character and extent of interest
Name:	
Address:	
Name:	
Address:	
Name:	
Address:	

12. Names, addresses and telephone numbers (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 8 or Item 11 above:

Name and Address	Position Title (if any) and percent of interest or description of character and extent of interest
Name:	
Address:	
Name:	
Address:	
Name:	
Address:	

13. Is the CONTRACTOR a subsidiary of or affiliated with any other corporation or corporations, any other firm or any other business entity or entities of any nature? If yes, list each such corporation, firm or business entity by name and address, specify its relationship to the CONTRACTOR, and identify the officers and directors or trustees common to the CONTRACTOR and such other corporation, firm or business entity.

Name and Address	Relationship to CONTRACTOR
Name:	
Address:	
Name:	
Address:	
Name:	
Address:	

14. Provide the financial condition of the CONTRACTOR as of the date of the statement and for a period of twenty-four (24) months prior to the date of its statement, as reflected in the **attached** financial statements, including, but not necessarily limited to, profit and loss statements and statements of financial position.
15. If funds for the development/project are to be obtained from sources other than the CONTRACTOR's own funds, provide a statement of the CONTRACTOR's plan for financing the development/project:
16. Provide sources and amount of cash available to CONTRACTOR to meet equity requirements of the proposed undertaking:
- a. In banks/savings and loans:
 - Name:
 - Address:
 - Amount: \$

b. By loans from affiliated or associated corporations or firms:

Name:

Address:

Amount: \$

c. By sale of readily salable assets/including marketable securities:

Description	Market Value (\$)	Mortgages or Liens (\$)

17. Names and addresses of bank references, and name of contact at each reference:

Name and Address	Contact Name
Name:	
Address:	
Name:	
Address:	
Name:	
Address:	

18. Has the CONTRACTOR or any of the CONTRACTOR's officers or principal members, shareholders or investors, or other interested parties been adjudged bankrupt, either voluntary or involuntary, within the past 10 years?

Yes No

If yes, give date, place, and under what name.

19. Has the CONTRACTOR or anyone referred to above as "principals of the CONTRACTOR" been convicted of any felony within the past 10 years?

Yes No

If yes, give for each case (1) date, (2) charge, (3) place, (4) court, and (5) action taken. Attach any explanation deemed necessary.

20. List undertakings (including, but not limited to, bid bonds, performance bonds, payment bonds and/or improvement bonds) comparable to size of the proposed project which have been completed by the CONTRACTOR, including identification and brief description of each project, date of completion, and amount of bond, whether any legal action has been taken on the bond:

Type of Bond	Project Description	Date of Completion	Amount of Bond	Action on Bond

21. If the CONTRACTOR, or a parent corporation, a subsidiary, an affiliate, or a principal of the CONTRACTOR is to participate in the development as a construction contractor or builder, provide the following information:

- a. Name and addresses of such contractor or builder:

Name and Address	Affiliation
Name:	
Address:	
Name:	
Address:	
Name:	
Address:	

- b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract?

Yes No

If yes, please explain, in detail, each such instance:

- c. Total amount of construction or development work performed by such contractor or builder during the last three (3) years: \$_____

General description of such work:

List each project, including location, nature of work performed, name, address of the owner of the project, bonding companies involved, amount of contract, date of commencement of project, date of completion, state whether any

change orders were sought, amount of change orders, was litigation commenced concerning the project, including a designation of where, when and the outcome of the litigation. (Attach extra sheet if necessary)

Project Name		
Project Owner Contact Information		
	Name	Address
Project Location		
Project Details		
Bonding Company Involved		
	Name	Amount of Contract
Change Order Details		
Change Order Cost		
Litigation Details		
	Location/Date	Outcome Details

d. Construction contracts or developments now being performed by such contractor or builder:

Identification of Contract or Development	Location	Amount	Date to be Completed

e. Outstanding construction-contract bids of such contractor or builder:

Awarding Agency	Amount	Date Opened

22. Provide a detailed and complete statement regarding equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the proposed project, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

23. Does any member of the governing body of SDHC, Housing Authority of the City of San Diego ("AUTHORITY") or City of San Diego ("CITY"), to which the accompanying proposal is being made or any officer or employee of SDHC, the AUTHORITY or the CITY who exercises any functions or responsibilities in connection with the carrying out of the project covered by the CONTRACTOR's proposal, have any direct or indirect personal financial interest in the CONTRACTOR or in the proposed contractor?

Yes No

If yes, explain:

24. Statements and other evidence of the CONTRACTOR's qualifications and financial responsibility (other than the financial statement referred to in Item 8) are attached hereto and hereby made a part hereof as follows:

25. Is the proposed CONTRACTOR, and/or are any of the proposed subcontractors, currently involved in any construction-related litigation?

Yes No

If yes, explain:

26. State the name, address and telephone numbers of CONTRACTOR's insurance agent(s) and/or companies for the following coverage's. List the amount of coverage (limits) currently existing in each category:

a. General Liability, including Bodily Injury and Property Damage Insurance [Attach certificate of insurance showing the amount of coverage and coverage period(s)]

Check coverage(s) carried:

- Comprehensive Form
- Premises - Operations
- Explosion and Collapse Hazard
- Underground Hazard
- Products/Completed Operations Hazard
- Contractual Insurance
- Broad Form Property Damage
- Independent Contractors
- Personal Injury

b. Automobile Public Liability/Property Damage [Attach certificate of insurance showing the amount of coverage and coverage period(s)]

Check coverage(s) carried:

- Comprehensive Form
- Owned
- Hired
- Non-Owned

- c. Workers Compensation [Attach certificate of insurance showing the amount of coverage and coverage period(s)]
- d. Professional Liability (Errors and Omissions) [Attach certificate of insurance showing the amount of coverage and coverage period(s)]
- e. Excess Liability [Attach certificate(s) of insurance showing the amount of coverage and coverage period(s)]
- f. Other (Specify) [Attach certificate(s) of insurance showing the amount of coverage and coverage period(s)]

27. CONTRACTOR warrants and certifies that it will not during the term of the PROJECT, GRANT, LOAN, CONTRACT, DEVELOPMENT and/or RENDITIONS OF SERVICES discriminate against any employee, person, or applicant for employment because of race, age, sexual orientation, marital status, color, religion, sex, handicap, or national origin. The CONTRACTOR will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, age, sexual orientation, marital status, color, religion, sex, handicap, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONTRACTOR agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by SDHC setting forth the provisions of this nondiscrimination clause.
28. The CONTRACTOR warrants and certifies that it will not, without prior written consent of SDHC, engage in any business pursuits that are adverse, hostile or take incompatible positions to the interests of SDHC, during the term of the PROJECT, DEVELOPMENT, LOAN, GRANT, CONTRACT and/or RENDITION OF SERVICES.
29. CONTRACTOR warrants and certifies that no member, Commissioner, Councilperson, officer, or employee of SDHC, the AUTHORITY and/or the CITY, and no member of the governing body of the locality in which the PROJECT is situated, no member of the governing body in which SDHC was activated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the assignment of work, has, during his or her tenure, or will for one (1) year thereafter, have any interest, direct or indirect, in this PROJECT or the proceeds thereof.

30. List all citations, orders to cease and desist, stop work orders, complaints, judgments, fines, and penalties received by or imposed upon CONTRACTOR for safety violations from any and all government entities including but not limited to, the City of San Diego, County of San Diego, the State of California, the United States of America and any and all divisions and departments of said government entities for a period of five (5) years prior to the date of this statement. If none, please state:

Government Complaint	Entity Making	Date	Resolution

31. Has the CONTRACTOR ever been disqualified, removed from or otherwise prevented from bidding on or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes No

If yes, please explain, in detail,

32. Please list all licenses obtained by the CONTRACTOR through the State of California and/or the United States of America, which are required and/or will be utilized by the CONTRACTOR and/or are convenient to the performance of the PROJECT, DEVELOPMENT, LOAN, GRANT, CONTRACT, or RENDITION OF SERVICES. State the name of the governmental agency granting the license, type of license, date of grant, and the status of the license, together with a statement as to whether the license has ever been revoked:

Government Agency	License Description	License Number	Date Issued (Original)	Status (Current)	Revocation (Yes/No)

33. Describe in detail any and all other facts, factors or conditions that may adversely affect CONTRACTOR's ability to perform or complete, in a timely manner, or at all, the PROJECT, CONTRACT, SALES of Real Property to, DEVELOPMENT, repayment of the LOAN, adherence to the conditions of the GRANT, or performance of consulting or other services under CONTRACT with SDHC.

34. Describe in detail, any and all other facts, factors or conditions that may favorably affect CONTRACTOR's ability to perform or complete, in a timely manner, or at all, the PROJECT, CONTRACT, DEVELOPMENT, repayment of the LOAN, adherence to the conditions of the GRANT, or performance of consulting or other services under CONTRACT with SDHC.

35. List all CONTRACTS with, DEVELOPMENTS for or with, LOANS with, PROJECTS with, GRANTS from, and SALES of Real Property to SDHC, AUTHORITY and/or the CITY within the last five (5) years:

Date	Entity Involved (i.e. City SDHC, etc)	Status (Current, delinquent, repaid, etc.)	Dollar Amount

36. Within the last five years, has the proposed CONTRACTOR, and/or have any of the proposed subcontractors, been the subject of a complaint filed with the Contractor's State License Board (CSLB)?

Yes No

If yes, explain:

37. Within the last five years, has the proposed CONTRACTOR, and/or have any of the proposed subcontractors, had a revocation or suspension of a CONTRACTOR's License?

Yes No

If yes, explain:

38. List three local references that would be familiar with your previous construction projects:

1. Name:
Address:
Phone:
Project Name and Description:
2. Name:
Address:
Phone:
Project Name and Description:
3. Name:
Address:
Phone:
Project Name and Description:

39. Give a brief statement regarding equipment, experience, financial capacity and other resources available to the CONTRACTOR for the performance of the work involved in the proposed project, specifying particularly the qualifications of the personnel, the nature of the equipment and the general experience of the CONTRACTOR.

40. Give the name and experience of the proposed Construction Superintendent.

Name	Experience

CONSENT TO PUBLIC DISCLOSURE BY CONTRACTOR

By providing the "Personal Information", (if any) as defined in Section 1798.3(a) of the Civil Code of the State of California (to the extent that it is applicable, if at all), requested herein and by seeking a loan from, a grant from, a contract with, the sale of real estate to, the right to develop from, and/or any and all other entitlements from the SAN DIEGO HOUSING COMMISSION ("SDHC"), the HOUSING AUTHORITY OF THE CITY OF SAN DIEGO ("AUTHORITY") and/or the CITY OF SAN DIEGO ("CITY"), the CONTRACTOR consents to the disclosure of any and all "Personal Information" and of any and all other information contained in this Public Disclosure Statement. CONTRACTOR specifically, knowingly and intentionally waives any and all privileges and rights that may exist under State and/or Federal Law relating to the public disclosure of the information contained herein. With respect to "Personal Information," if any, contained herein, the CONTRACTOR, by executing this disclosure statement and providing the information requested, consents to its disclosure pursuant to the provisions of the Information Practices Act of 1977, Civil Code Section 1798.24(b). CONTRACTOR is aware that a disclosure of information contained herein will be made at a public meeting or meetings of SDHC, the AUTHORITY, and/or the CITY at such times as the meetings may be scheduled. CONTRACTOR hereby consents to the disclosure of said "Personal Information," if any, more than thirty (30) days from the date of this statement at the duly scheduled meeting(s) of SDHC, the AUTHORITY and/or the CITY. CONTRACTOR acknowledges that public disclosure of the information contained herein may be made pursuant to the provisions of Civil Code Section 1798.24(d).

CONTRACTOR represents and warrants to SDHC, the AUTHORITY and the CITY that by providing the information requested herein and waiving any and all privileges available under the Evidence Code of the State of California, State and Federal Law, (to the extent of this disclosure that the information being submitted herein), the information constitutes a "Public Record" subject to disclosure to members of the public in accordance with the provisions of California Government Section 6250 et seq.

CONTRACTOR specifically waives, by the production of the information disclosed herein, any and all rights that CONTRACTOR may have with respect to the information under the provisions of Government Code Section 6254 including its applicable subparagraphs, to the extent of the disclosure herein, as well as all rights of privacy, if any, under the State and Federal Law.

Executed this _____ day of _____, 20 ____, at San Diego, California.

CONTRACTOR

By: _____
Signature

Title

CERTIFICATION

The CONTRACTOR, _____, hereby certifies that this CONTRACTOR's Statement for Public Disclosure and the attached information/evidence of the CONTRACTOR's qualifications and financial responsibility, including financial statements, are true and correct to the best of CONTRACTOR's knowledge and belief.

By: _____

By: _____

Title: _____

Title: _____

Dated: _____

Dated: _____

WARNING: 18 U.S.C. 1001 provides, among other things, that whoever knowingly and willingly makes or uses a document or writing containing any false, fictitious or fraudulent statement or entry, in any matter within the jurisdiction or any department or agency of the United States, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.

JURAT

State of California

County of _____

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20_ _____

by _____ personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature of Notary

SEAL



Attachment 5

Evidence of Compliance with Previous SDHC Loans

Part A (to be completed by Applicant)

Project	Address	Total Funds	Purpose
1			
2			
3			
4			
5			
6			

Signed: _____

Date: _____

Part B - Affordability Restrictions (to be completed by SDHC staff)

The Project(s) listed above is/are in Compliance: Yes No

Comments: _____

Signed: _____

Date: _____

Part C - Contract Monitoring (to be completed by SDHC staff)

The Project(s) listed above is/are current: Yes No

Annual Reports are submitted when due: Yes No

Comments: _____

Signed: _____

Date: _____



Part D – Residual Receipts Payment Record (to be completed by SDHC staff)

Are Residual Receipts being received? Yes NO

Year	Amount Projected	Amount Received
2013		
2012		
2010		
2009		

Comments:

Signed: _____

Date: _____

Attachment 6

HUD Form 5369-B

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing



- 03291 -

Instructions to Offerors Non-Construction

1. Preparation of Offers

(a) Offerors are expected to examine the statement of work, the proposed contract terms and conditions, and all instructions. Failure to do so will be at the offeror's risk.

(b) Each offeror shall furnish the information required by the solicitation. The offeror shall sign the offer and print or type its name on the cover sheet and each continuation sheet on which it makes an entry. Erasures or other changes must be initialed by the person signing the offer. Offers signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the HA.

(c) Offers for services other than those specified will not be considered.

2. Submission of Offers

(a) Offers and modifications thereof shall be submitted in sealed envelopes or packages (1) addressed to the office specified in the solicitation, and (2) showing the time specified for receipt, the solicitation number, and the name and address of the offeror.

(b) Telegraphic offers will not be considered unless authorized by the solicitation; however, offers may be modified by written or telegraphic notice.

(c) Facsimile offers, modifications or withdrawals will not be considered unless authorized by the solicitation.

3. Amendments to Solicitations

(a) If this solicitation is amended, then all terms and conditions which are not modified remain unchanged.

(b) Offerors shall acknowledge receipt of any amendments to this solicitation by

- (1) signing and returning the amendment;
- (2) identifying the amendment number and date in the space provided for this purpose on the form for submitting an offer,
- (3) letter or telegram, or
- (4) facsimile, if facsimile offers are authorized in the solicitation. The HA/HUD must receive the acknowledgment by the time specified for receipt of offers.

4. Explanation to Prospective Offerors

Any prospective offeror desiring an explanation or interpretation of the solicitation, statement of work, etc., must request it in writing soon enough to allow a reply to reach all prospective offerors before the submission of their offers. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective offeror concerning a solicitation will be furnished promptly to all other prospective offerors as an amendment of the solicitation, if that information is necessary in submitting offers or if the lack of it would be prejudicial to any other prospective offerors.

5. Responsibility of Prospective Contractor

(a) The HA shall award a contract only to a responsible prospective contractor who is able to perform successfully under the terms and conditions of the proposed contract. To be determined responsible, a prospective contractor must -

- (1) Have adequate financial resources to perform the contract, or the ability to obtain them;

- (2) Have a satisfactory performance record;
- (3) Have a satisfactory record of integrity and business ethics;
- (4) Have a satisfactory record of compliance with public policy (e.g., Equal Employment Opportunity); and
- (5) Not have been suspended, debarred, or otherwise determined to be ineligible for award of contracts by the Department of Housing and Urban Development or any other agency of the U.S. Government. Current lists of ineligible contractors are available for inspection at the HA/HUD.

(b) Before an offer is considered for award, the offeror may be requested by the HA to submit a statement or other documentation regarding any of the foregoing requirements. Failure by the offeror to provide such additional information may render the offeror ineligible for award.

6. Late Submissions, Modifications, and Withdrawal of Offers

(a) Any offer received at the place designated in the solicitation after the exact time specified for receipt will not be considered unless it is received before award is made and it -

- (1) Was sent by registered or certified mail not later than the fifth calendar day before the date specified for receipt of offers (e.g., an offer submitted in response to a solicitation requiring receipt of offers by the 20th of the month must have been mailed by the 15th);
- (2) Was sent by mail, or if authorized by the solicitation, was sent by telegram or via facsimile, and it is determined by the HA/ HUD that the late receipt was due solely to mishandling by the HA/ HUD after receipt at the HA;
- (3) Was sent by U.S. Postal Service Express Mail Next Day Service - Post Office to Addressee, not later than 5:00 p.m. at the place of mailing two working days prior to the date specified for receipt of proposals. The term "working days" excludes weekends and U.S. Federal holidays; or
- (4) Is the only offer received.

(b) Any modification of an offer, except a modification resulting from the HA's request for "best and final" offer (if this solicitation is a request for proposals), is subject to the same conditions as in subparagraphs (a)(1), (2), and (3) of this provision.

(c) A modification resulting from the HA's request for "best and final" offer received after the time and date specified in the request will not be considered unless received before award and the late receipt is due solely to mishandling by the HA after receipt at the HA.

(d) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent either by registered or certified mail is the U.S. or Canadian Postal Service postmark both on the envelope or wrapper and on the original receipt from the U.S. or Canadian Postal Service. Both postmarks must show a legible date or the offer, modification, or withdrawal shall be processed as if mailed late. "Postmark" means a printed, stamped, or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable without further action as having been supplied and affixed by employees of the U.S. or Canadian Postal Service on the date of mailing. Therefore, offerors should request the postal clerk to place a hand cancellation bull's-eye postmark on both the receipt and the envelope or wrapper.

(e) The only acceptable evidence to establish the time of receipt at the HA is the time/date stamp of HA on the offer wrapper or other documentary evidence of receipt maintained by the HA.

(f) The only acceptable evidence to establish the date of mailing of a late offer, modification, or withdrawal sent by Express Mail Next Day Service-Post Office to Addressee is the date entered by the post office receiving clerk on the "Express Mail Next Day Service-Post Office to Addressee" label and the postmark on both the envelope or wrapper and on the original receipt from the U.S. Postal Service. "Postmark" has the same meaning as defined in paragraph (c) of this provision, excluding postmarks of the Canadian Postal Service. Therefore, offerors should request the postal clerk to place a legible hand cancellation bull's eye postmark on both the receipt and the envelope or wrapper.

(g) Notwithstanding paragraph (a) of this provision, a late modification of an otherwise successful offer that makes its terms more favorable to the HA will be considered at any time it is received and may be accepted.

(h) If this solicitation is a request for proposals, proposals may be withdrawn by written notice, or if authorized by this solicitation, by telegram (including mailgram) or facsimile machine transmission received at any time before award. Proposals may be withdrawn in person by a offeror or its authorized representative if the identity of the person requesting withdrawal is established and the person signs a receipt for the offer before award. If this solicitation is an invitation for bids, bids may be withdrawn at any time prior to bid opening.

7. Contract Award

(a) The HA will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the HA, cost or price and other factors, specified elsewhere in this solicitation, considered.

(b) The HA may

- (1) reject any or all offers if such action is in the HA's interest,
- (2) accept other than the lowest offer,
- (3) waive informalities and minor irregularities in offers received, and (4) award more than one contract for all or part of the requirements stated.

(c) If this solicitation is a request for proposals, the HA may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the offeror's best terms from a cost or price and technical standpoint.

(d) A written award or acceptance of offer mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer shall result in a binding contract without further action by either party. If this solicitation is a request for proposals, before the offer's specified expiration time, the HA may accept an offer, whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award. Negotiations conducted after receipt of an offer do not constitute a rejection or counteroffer by the HA.

(e) Neither financial data submitted with an offer, nor representations concerning facilities or financing, will form a part of the resulting contract.

8. Service of Protest

Any protest against the award of a contract pursuant to this solicitation shall be served on the HA by obtaining written and dated acknowledgment of receipt from the HA at the address shown on the cover of this solicitation. The determination of the HA with regard to such protest or to proceed to award notwithstanding such protest shall be final unless appealed by the protestor.

9. Offer Submission

Offers shall be submitted as follows and shall be enclosed in a sealed envelope and addressed to the office specified in the solicitation. The proposal shall show **the hour and date specified in the solicitation for receipt, the solicitation number, and the name and address of the offeror, on the face of the envelope.**

It is very important that the offer be properly identified on the face of the envelope as set forth above in order to insure that the date and time of receipt is stamped on the face of the offer envelope. Receiving procedures are: date and time stamp those envelopes identified as proposals and deliver them immediately to the appropriate contracting official, and only date stamp those envelopes which do not contain identification of the contents and deliver them to the appropriate procuring activity only through the routine mail delivery procedure.

[Describe bid or proposal preparation instructions here:]

Attachment 7

HUD Form 5369-C

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

Certifications and Representations of Offerors Non-Construction Contract

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This form includes clauses required by OMB's common rule on bidding/offering procedures, implemented by HUD in 24 CFR 85.36, and those requirements set forth in Executive Order 11625 for small, minority, women-owned businesses, and certifications for independent price determination, and conflict of interest. The form is required for nonconstruction contracts awarded by Housing Agencies (HAs). The form is used by bidders/offerors to certify to the HA's Contracting Officer for contract compliance. If the form were not used, HAs would be unable to enforce their contracts. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

1. Contingent Fee Representation and Agreement

(a) The bidder/offeror represents and certifies as part of its bid/offer that, except for full-time bona fide employees working solely for the bidder/offeror, the bidder/offeror:

- (1) has, has not employed or retained any person or company to solicit or obtain this contract; and
- (2) has, has not paid or agreed to pay to any person or company employed or retained to solicit or obtain this contract any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this contract.

(b) If the answer to either (a)(1) or (a) (2) above is affirmative, the bidder/offeror shall make an immediate and full written disclosure to the PHA Contracting Officer.

(c) Any misrepresentation by the bidder/offeror shall give the PHA the right to (1) terminate the resultant contract; (2) at its discretion, to deduct from contract payments the amount of any commission, percentage, brokerage, or other contingent fee; or (3) take other remedy pursuant to the contract.

2. Small, Minority, Women-Owned Business Concern Representation

The bidder/offeror represents and certifies as part of its bid/offer that it:

- (a) is, is not a small business concern. "Small business concern," as used in this provision, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding, and qualified as a small business under the criteria and size standards in 13 CFR 121.
- (b) is, is not a women-owned small business concern. "Women-owned," as used in this provision, means a small business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.
- (c) is, is not a minority enterprise which, pursuant to Executive Order 11625, is defined as a business which is at least 51 percent owned by one or more minority group members or, in the case of a publicly owned business, at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily operations are controlled by one or more such individuals.

For the purpose of this definition, minority group members are:

(Check the block applicable to you)

- | | |
|---|---|
| <input type="checkbox"/> Black Americans | <input type="checkbox"/> Asian Pacific Americans |
| <input type="checkbox"/> Hispanic Americans | <input type="checkbox"/> Asian Indian Americans |
| <input type="checkbox"/> Native Americans | <input type="checkbox"/> Hasidic Jewish Americans |

3. Certificate of Independent Price Determination

(a) The bidder/offeror certifies that—

- (1) The prices in this bid/offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other bidder/offeror or competitor relating to (i) those prices, (ii) the intention to submit a bid/offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this bid/offer have not been and will not be knowingly disclosed by the bidder/offeror, directly or indirectly, to any other bidder/offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the bidder/offeror to induce any other concern to submit or not to submit a bid/offer for the purpose of restricting competition.

(b) Each signature on the bid/offer is considered to be a certification by the signatory that the signatory:

- (1) Is the person in the bidder/offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
- (2) (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above (insert full name of person(s) in the bidder/offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the bidder/offeror's organization);
(ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) above have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and

(iii) As an agent, has not personally participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above.

(c) If the bidder/offeror deletes or modifies subparagraph (a)2 above, the bidder/offeror must furnish with its bid/offer a signed statement setting forth in detail the circumstances of the disclosure.

4. Organizational Conflicts of Interest Certification

(a) The Contractor warrants that to the best of its knowledge and belief and except as otherwise disclosed, it does not have any organizational conflict of interest which is defined as a situation in which the nature of work under a proposed contract and a prospective contractor's organizational, financial, contractual or other interest are such that:

- (i) Award of the contract may result in an unfair competitive advantage;
- (ii) The Contractor's objectivity in performing the contract work may be impaired; or
- (iii) That the Contractor has disclosed all relevant information and requested the HA to make a determination with respect to this Contract.

(b) The Contractor agrees that if after award he or she discovers an organizational conflict of interest with respect to this contract, he or she shall make an immediate and full disclosure in writing to the HA which shall include a description of the action which the Contractor has taken or intends to eliminate or neutralize the conflict. The HA may, however, terminate the Contract for the convenience of HA if it would be in the best interest of HA.

(c) In the event the Contractor was aware of an organizational conflict of interest before the award of this Contract and intentionally did not disclose the conflict to the HA, the HA may terminate the Contract for default.

(d) The Contractor shall require a disclosure or representation from subcontractors and consultants who may be in a position to influence the advice or assistance rendered to the HA and shall include any necessary provisions to eliminate or neutralize conflicts of interest in consultant agreements or subcontracts involving performance or work under this Contract.

5. Authorized Negotiators (RFPs only)

The offeror represents that the following persons are authorized to negotiate on its behalf with the PHA in connection with this request for proposals: (list names, titles, and telephone numbers of the authorized negotiators):

6. Conflict of Interest

In the absence of any actual or apparent conflict, the offeror, by submission of a proposal, hereby warrants that to the best of its knowledge and belief, no actual or apparent conflict of interest exists with regard to my possible performance of this procurement, as described in the clause in this solicitation titled "Organizational Conflict of Interest."

7. Offeror's Signature

The offeror hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

Signature & Date:

Typed or Printed Name:

Title:

Attachment 8

HUD Form 2880

**Applicant/Recipient
Disclosure/Update Report**

U.S. Department of Housing
and Urban Development

OMB Approval No. 2510-0011 (exp. 12/31/2015)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report or an Update Report

1. Applicant/Recipient Name, Address, and Phone (include area code):	2. Social Security Number or Employer ID Number:
3. HUD Program Name	4. Amount of HUD Assistance Requested/Received
5. State the name and location (street address, City and State) of the project or activity:	

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3). <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9 <input type="checkbox"/> Yes <input type="checkbox"/> No.
---	--

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. However, you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds

(Note: Use Additional pages if necessary.)

Part III Interested Parties. You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

(Note: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature: X	Date: (mm/dd/yyyy)
---------------------	--------------------

Public reporting burden for this collection of information is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

Privacy Act Statement. Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is voluntary. HUD is authorized to collect this information under the Housing and Community Development Act of 1987 42 U.S.C.3543 (a). The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §4.38.

Note: This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

Instructions

Overview.

A. Coverage. You must complete this report if:

- (1) You are applying for assistance from HUD for a specific project or activity and you have received, or expect to receive, assistance from HUD in excess of \$200,000 during the fiscal year;
- (2) You are updating a prior report as discussed below; or
- (3) You are submitting an application for assistance to an entity other than HUD, a State or local government if the application is required by statute or regulation to be submitted to HUD for approval or for any other purpose.

B. Update reports (filed by "Recipients" of HUD Assistance):

General. All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

Line-by-Line Instructions.

Applicant/Recipient Information.

All applicants for HUD competitive assistance, must complete the information required in blocks 1-5 of form HUD-2880:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered.
2. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.
3. Applicants enter the HUD program name under which the assistance is being requested.
4. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. NOTE: In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.
5. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.

Part I. Threshold Determinations - Applicants Only

Part I contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

If the answer to *either* questions 1 or 2 is No, the applicant need not complete Parts II and III of the report, but must sign the certification at the end of the form.

Part II. Other Government Assistance and Expected Sources and Uses of Funds.

A. Other Government Assistance. This Part is to be completed by both applicants and recipients for assistance and recipients filing update reports. Applicants and recipients must report any other government assistance involved in the project or activity for which assistance is sought. Applicants and recipients must report any other government assistance involved in the project or activity. Other government assistance is defined in note 4 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available.
2. State the type of other government assistance (e.g., loan, grant, loan insurance).
3. Enter the dollar amount of the other government assistance that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).
4. Uses of funds. Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as "total structure" to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

B. Non-Government Assistance. Note that the applicant and recipient disclosure report must specify all expected sources and uses of funds - both from HUD *and any other source* - that have been or are to be, made available for the project or activity. Non-government sources of

funds typically include (but are not limited to) foundations and private contributors.

Part III. Interested Parties.

This Part is to be completed by both applicants and recipients filing update reports. Applicants must provide information on:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Note: A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses. If the person is an entity, the listing must include the full name and address of the entity as well as the CEO. Please list all names alphabetically.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

Note that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need

not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

Notes:

1. All citations are to 24 CFR Part 4, which was published in the Federal Register. [April 1, 1996, at 63 Fed. Reg. 14448.]
2. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage, that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Fed. Acquisition Regulation (FAR) (48 CFR Chapter 1).
3. See 24 CFR §4.9 for detailed guidance on how the threshold is calculated.
4. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
5. For the purpose of this form and 24 CFR Part 4, "person" means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.

Attachment 9

HUD Subsidy Layering Review Checklist (HUD-Performed Review)

Subsidy Layering Review Checklist for Low-Income Housing Tax Credit Projects using Section 8 Project Based Assistance (PBA)

Project Name, Location:

Housing Authority:

Narrative Description of Project, including:

Total number of units

Type of unit, bedroom distribution

Portion and type of units receiving assistance, compliance with partial assistance requirements

Sources of Funds:

Each Source Listed Separately with Details

Principle

Interest Rate

Amortization Term

Uses of Funds:

Detailed Breakdown of Project Costs, including hard and soft cost items

Commitment Letters From All Sources of Financing Disclosing Significant Terms

Tax Credit Allocation Commitment Letter from State Housing Finance Agency

Amount of Credits Reserved, or

IRS Form 8609

Historic Tax Credits (as applicable)

Amount of Credit

Equity Investment Commitment Letter

Amount of Investment

Equity Contribution Schedule showing amount and timing

Bridge Loan Details (as applicable)

Appraisal Report establishing the "as is" value of the property before construction or rehabilitation, and without consideration of any financial implications of tax credits or project-based assistance.

Operating Proforma showing projected project income, expenses and cash flow

Housing Authority Approval of PBA Voucher Assistance for Project

Standard Disclosure and Perjury Statement, Identity of Interest Statement

Form HUD-2880

Initial Contract Rents

Housing Authority letter confirming gross contract rents with applicable tenant utility allowances

Form HUD-92273

Attachment 10

TCAC Subsidy Layering Review Checklist (TCAC-Performed Review)

2014 Subsidy Layering Review Checklist for Low-Income Housing Tax Credit Projects using Section 8 Project Based Assistance (PBA) – Revised May 21, 2014

Project Name: _____

Project Location: _____

1. Summary Information, including:

- HUD Field Office with oversight of the project's PBV subsidy (San Francisco or Los Angeles or other)
- HUD Field Office point of contact name, phone #, and address
- Public Housing Agency providing the project-based vouchers (PBVs)
- Public Housing Agency's PHA Code (for example CA008)
- Safe harbor date by which you need TCAC to complete the subsidy layering review

2. Narrative Description of Project, including:

- Total number of units
- Type of unit, bedroom distribution
- Portion and type of units receiving assistance, compliance with partial assistance requirements
- Tenant population served by project with specifics on population served by PBVs

(Note: Make sure that the narrative description includes a clear, detailed description of the tenant population with special attention to any special needs tenants and the tenants served by the PBVs.)

3. Entirely updated/current TCAC electronic application, not just selected sheets, and in particular for the subsidy layering review make sure the following are updated/current:

- "Subsidy Contract Calculation" sheet of the TCAC electronic application
- "15 Year Pro Forma" sheet of the TCAC electronic application
- "Application" sheet of the TCAC electronic application, Part III, Sections 1.A. & 2.A., construction and permanent financing summary tables.

(Note: Make sure that the project's gross income components (tenant rental income and PBV subsidy income) are reconciled among the various documents - Housing Agency's PBV commitment (contract rents), the updated TCAC application's "Application" sheet Part III, Sections 3.A & 3.D. (income information tables) and "15 Year Pro Forma" sheet.)

4. Narrative Description of each funding source (updated/current TCAC application checklist/tab #2 – Financing Plan).

5. Commitment Letters from All Sources of Financing Disclosing Significant Terms.

(Note: If commitments were provided in the original TCAC application (9% projects) and they have not changed, then just explain that no changes and that already provided to TCAC. If any changes, or if the commitments were not included in the TCAC application (4% projects primarily), please provide the current commitment letters. If assumed loans with accrued interest, include lender documentation for the assumed principal and the assumed accrued interest.)

6. Appraisal Report establishing the "as is" value of the property before construction or rehabilitation, and without consideration of any financial implications of tax credits or project-based assistance.

2014 Subsidy Layering Review Checklist for Low-Income Housing Tax Credit Projects using Section 8 Project Based Assistance (PBA) – Revised May 21, 2014

7. Tax Credit Allocation Commitment Letter from State Housing Finance Agency

- Amount of Credits Reserved (copy of TCAC preliminary reservation letter), or
- IRS Form 8609

8. Historic Tax Credits (as applicable)

- Amount of Credit

9. Equity Investment Commitment Letter

- Amount of Investment (updated/current TCAC attachment/form 16 – syndicator’s letter) AND
- Equity Contribution Schedule showing amount and timing (copy of Letter of Intent and/or Limited Partnership Agreement, if executed/available).

Note: The TCAC attachment/form 16 should correspond to the Letter of Intent, and/or Limited Partnership Agreement, and the updated/current TCAC application.

10. Bridge Loan Details (as applicable)

11. Standard Disclosure and Perjury Statement

- Form HUD-2880.

Notes: Be sure to complete the top section of the HUD 2880 form with all of the requested information, and under #4 “Amount of HUD Assistance Requested/Received”, it requires a dollar figure, not the number of PBVs.

If Part II of the form is required to be completed, include any tax-exempt bond financing and the low-income housing tax credits as part of the “Other Government Assistance”. You may need to put the information on an attachment since space on the form is limited.

12. Identity of Interest Statement

13. PHA commitment letter for PBV assistance, including contract rents, utility allowances, and gross rents by unit type

- If more than 25% of the units have PBV assistance, provide the basis for the exception to the 25% PBV limit. See 24 CFR 983.56
- Supportive Services Plan – qualifying families receive supportive services (as applicable)
- Units in Single Family Homes of 4 units or fewer (as applicable)
- Qualifying families - elderly or disabled (as applicable)
- Other (as applicable)

14. Proposed PBV gross rent amounts by unit type

- Form HUD-92273
- Rent Comparability Study



SAN DIEGO
HOUSING
COMMISSION

Attachment 11

Certification of Subsidy Eligibility

The applicant/owner certifies: (1) that he/she has not required any tenant to move, without cause, during the previous twelve months; (2) that he/she will comply with all relocation requirements of the proposal and will compensate, as required, any temporarily relocated tenants for the costs of such relocation; (3) this project has not been prohibited by any other entity from receiving federal Project-Based Housing Voucher assistance; and, (4) that the information and exhibits contained in this application are true and complete.

Signed: _____

Date: _____

FOR OFFICE USE ONLY

Date Received: _____

Reviewed By: _____



SAN DIEGO
HOUSING
COMMISSION

Attachment 12

Project-Based Housing Voucher (PBV) Rent Table

Unit Size	Number of Units	Proposed PBV Rent
Studio		
1 Bedroom		
2 Bedroom		
3 Bedroom		
4 Bedroom		



Attachment 13

Project-Based Housing Voucher (PBV) Exception List

Deconcentration of Poverty - Please check all applicable factors:

- Whether the site is in an Enterprise Zone, Economic Community, or Renewal Community;
- Whether the concentration of assisted units will be or has decreased as a result of public housing demolition;
- Whether the census tract is undergoing significant revitalization;
- Whether government funding has been invested in the area;
- Whether new market rate units are being developed in the area that are likely to impact the poverty rate in the area;
- Whether in the past five years, there has been an overall decline in the poverty rate; and
- Whether there are meaningful opportunities of educational and economic advancement in the area.

Minority Concentration – Please check all applicable factors:

- Sufficient comparable opportunities exist to house minority families in the income range to be served by the project in areas outside of minority concentration; or
- The project is necessary to meet overriding housing needs in the market area. Projects deemed by SDHC to be an integral part of the overall local strategy for the preservation or restoration of the immediate neighborhood or that are experiencing significant private investment to improve the economic character of the area shall be deemed to meet these criteria.



Attachment 14

HUD-VASH Project-Based Housing Voucher Acknowledgement Form

For applicants applying for HUD-VASH Project-Based Housing Vouchers:

Federal regulations impose additional conditions on the allocation of HUD-VASH vouchers as Project-Based Housing Vouchers (PBV). Proposed project sites must comply with the provisions of Notice PIH 2011-50 and FR-5596-N-01. Specifically, the following requirements apply:

Proposed Project Site

1. The site must be located in close proximity to a Veteran’s Affairs Medical Center (VAMC) or Community-Based Outpatient Clinic (CBOC).
2. The site must be located in a transit-oriented area.

Mandatory HUD Approval Process of the PBV Application

1. The VAMC or CBOC must indicate support for the project.
2. The VAMC and CBOC must be in agreement (concerning the proposed development) with the Public Housing Authority prior to the submission of the PBV proposal to HUD.
3. Award of HUD-VASH PBV is contingent upon a thorough review process conducted by HUD Headquarters in Washington, D.C., and subsequent approval of the development. Disapproval of the proposed development supersedes the initial selection by SDHC and the VAMC/CBOC.

The preceding points are not exhaustive of all HUD-VASH PBV requirements, but rather highlight the variation from regular PBV concerning the competitive process. Applicants are encouraged to access Notice PIH 2011-50, FR-5596-N-01, and 24 CFR 983 for additional information.

Applicant Name

Agency

Title

Date



SAN DIEGO
HOUSING
COMMISSION

Attachment 15

Non-Collusive Affidavit

State of _____

County of _____

_____ being first duly sworn, deposes and says:
(Name and Title)

That he/she/it is _____, the party making the foregoing proposal or bid, that such proposal or bid is genuine and not collusive or sham; that said proposer has not colluded, conspired, connived or agreed, directly or indirectly, with any proposer or person, to put in a sham proposal or to refrain from proposing, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the proposal price of affiant or of any other proposer, or to fix any overhead, profit or cost element of said proposal price, or of that of any other proposer, or to secure any advantage against the San Diego Housing Commission and the Housing Authority of the City of San Diego or any person interested in the proposed contract; and that all statements in said proposal or bid are true.

(Individual)

(Partner)

(Officer of Corporation)



Attachment 16

Section 3 of the Housing & Urban Development Act of 1968 Certification of Compliance

The purpose of Section 3 of the Housing and Urban Development Act of 1968, as amended (12. U.S.C. 1701u) (Section 3), is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and Local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons. Section 3 is implemented and regulated by Part 135 of Title 24 of the Code of Federal Regulations (24 CFR 135).

APPLICABILITY

- Recipients and sub-recipients of Section 3 covered assistance, including contractors and subcontractors that perform work on Section 3 covered contracts/projects, are required to comply with Section 3 requirements.
- Section 3 requirements are triggered when there is a need for new hires, contractors, and/or subcontractors.
- Section 3 requirements do not apply to contractors who furnish only materials or supplies and do not undertake the installation of the materials or supplies.

DEFINITIONS

Section 3 Business Concern meets at least one of these requirements:

- I. A Section 3 Resident owns at least 51 percent of the Business Concern;
- II. At least 30 percent of its permanent, full-time employees are currently Section 3 Residents or within three years of the date of first employment with the Business Concern were Section 3 Residents; or
- III. It provides evidence of a commitment to subcontract more than 25 percent of the dollar amount of the awarded contract to Section 3 Business Concerns.

Section 3 Resident means a

- I. Residents of public housing that reside in the County of San Diego;
- II. SDHC Housing Choice Voucher (Section 8) participants; or
- III. Individuals living in the County of San Diego who are low- or very low-income residents, based on family size and income level, as shown in the chart below:

2014 FAMILY INCOME LIMITS								
Family Size	1	2	3	4	5	6	7	8
Maximum Annual Family Income	\$44,200	\$50,500	\$56,800	\$63,100	\$68,150	\$73,200	\$78,250	\$83,300

New Hire means full-time employees for permanent, temporary or seasonal employment opportunities.



NUMERICAL GOALS

Contractors and subcontractors may demonstrate compliance with Section 3 by committing to the following:

- Employing Section 3 Residents as 30 percent of all new hires during a one-year period of the project (i.e., A construction contractor hires 10 new workers; 3 of the new workers should be Section 3 Residents).
- Contracting:
 - i.
 - A) Awarding Section 3 Business Concerns at least 10 percent of the total contract dollar amount for construction or rehabilitation services; and
 - B) Awarding Section 3 Business Concerns at least 3 percent of the total contract dollar amount for non-construction services.

Contractors and subcontractors must seek to maintain the Section 3 numerical goals throughout the life of the contract or project.

SECTION 3 REQUIREMENTS FOR PROPOSERS/BIDDERS

Section 3 and Equal Opportunity Contracting Project Utilization Plan

Contractors' Section 3 and Equal Opportunity Contracting Project Utilization Plans (Utilization Plans) will be evaluated to determine whether Section 3 numerical goals have been met. **Utilization Plans that comply with the Section 3 numerical goals are automatically approved. Utilization Plans that do not realize the numerical goals will be approved by committing to hire, to the greatest extent feasible, certified Section 3 Residents as 40 percent of new hires. If the 40 percent goal is not met, contractors are required to provide documentation demonstrating their efforts to hire Section 3 Residents by exhausting all available hiring resources.** With the exception of proposals/bids indicating no projected opportunities for subcontracting and hiring of new employees, proposals/bids that do not meet all of the numerical goals for Section 3 are not in compliance.

At its discretion, SDHC may grant waivers for noncompliant contractors who have demonstrated "good cause" as to why the Section 3 numerical goals or the 40 percent new hire goal were not met. **SDHC will not execute a contract/agreement that does not incorporate by reference an approved plan to utilize certified Section 3 Business Concerns and/or Residents, or reference the waiver granted by SDHC.**

All proposals/bids MUST contain the completed Utilization Plan. If there are no projected opportunities for new hires and subcontracting, the Utilization Plan should state that. **Contractors must submit their completed Utilization Plans AND their subcontractors' Utilization Plans.** Utilization Plans are used as a baseline to monitor Section 3 compliance throughout the term of the contract. **Proposals/bids that do not contain the completed Utilization Plan will be deemed "nonresponsive."**

Noncompliant proposals/bids must include an approved Utilization Plan to use certified Section 3 Business Concerns and/or Residents. In order to receive approval, contractors shall, to the greatest extent feasible, commit to hiring certified Section 3 Residents as 40 percent of new hires. Proposals/bids that indicate there are no plans to hire new employees and award contracts may receive a waiver.



SECTION 3 REQUIREMENTS FOR AWARDEES

Section 3 Clause

All Section 3 covered contracts and subcontracts shall include the following clause set forth at 24CFR135.38:

- a) The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- b) The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- c) The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- d) The contractor agrees to include the Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
- e) The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- f) Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this Agreement for default, and debarment or suspension from future HUD assisted contracts.
- g) With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).



Compliance Monitoring

Section 3 compliance monitoring will be performed by SDHC. **Contractors and subcontractors must seek to maintain the Section 3 numerical goals throughout the term of the contract/project. Contractors who submitted an approved Utilization Plan shall maintain their approved percentages of Section 3 participation throughout the term of the contract/project. Contractors and/or subcontractors whose Utilization Plans projected no new hires must, to the greatest extent feasible, hire certified Section 3 Residents if the need to hire occurs.** SDHC will conduct regular quality assurance checks to monitor continued compliance. In its reasonable discretion, SDHC may grant waivers for contractors and/or subcontractors who have demonstrated “good cause” as to why the Section 3 numerical goals or approved percentages of Section 3 participation could not be maintained. Noncompliance with HUD’s regulations in 24CFR135 may result in sanctions, termination of contract for default, and debarment or suspension from future HUD-assisted contracts.

Contractors and subcontractors will be required to submit payroll information and/or workforce reports. Contractors will be required to collect, review for accuracy, and submit the payroll information and/or workforce reports from their subcontractors.

FREQUENCY OF MONITORING				
Contract Description	Award/Negotiation	Monthly	Quarterly	Completion
Construction	X	X		X
Non-Construction <i>(less than 3 months' performance period)</i>	X	X		X
Non-Construction <i>(more than 3 months' performance period)</i>	X		X	X
Note: SDHC will periodically conduct job-site/work-site interviews of employees who are certified Section 3 Residents.				

The undersigned hereby agrees to comply with all the provisions of Section 3 as set forth in 24CFR135.38 and SDHC’s Section 3 requirements.

Acknowledged By:

Name of President or Authorized Officer

Company Name

Signature and Title

Date

Contact the Section 3 Program Analyst at (619) 578-7579 or section3@sdhc.org to obtain the Section 3 and Equal Opportunity Contracting Project Utilization Plan; request a list of certified Section 3 Business Concerns and/or Residents; or to verify the Section 3 certification eligibility of any prospective subcontractor or new hire.



Attachment 17

Statement & Certification Regarding Debarment

The Offeror certifies, to the best of its knowledge and belief, that:

1. The Offeror and/or any of its Principals—

(A) Are are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(B) Have have not , within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: COMMISSION of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or COMMISSION of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

(C) Are are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, COMMISSION of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this provision.

(D) The Offeror has has not , within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

2. "Principals," for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

This Certification Concerns a Matter Within the Jurisdiction of an agency of the United States and the Making of a False, Fictitious, or Fraudulent Certification May Render the Maker Subject to Prosecution Under Section 1001, Title 18, United States Code.

(A) The Offeror shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(B) A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a determination of the Offeror's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Offeror non-responsible.

(C) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business Dealings.

(D) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the COMMISSION, the Contracting Officer may terminate the contract resulting from this solicitation for default.

Contractor's Authorized Representative:

Name (printed/typed)

Title

Signature

Date

Attachment 18

Occupancy Restrictions & Rent Calculations
(Revised: 5/1/2014)

OCCUPANCY RESTRICTIONS:

Maximum Household Size for Unit Type		Household Size	50% Area Median Income		60% Area Median Income	
			Annual	Monthly	Annual	Monthly
Studio	2	1	\$27,650	\$2,304	\$33,180	\$2,765
1-BR	4	2	\$31,600	\$2,633	\$37,920	\$3,160
2-BR	6	3	\$35,550	\$2,963	\$42,660	\$3,555
3-BR	8	4	\$39,450	\$3,288	\$47,340	\$3,945
4-BR	10	5	\$42,650	\$3,554	\$51,180	\$4,265
5-BR	12	6	\$45,800	\$3,817	\$54,960	\$4,580
6-BR	14	7	\$48,950	\$4,079	\$58,740	\$4,895
		8	\$52,100	\$4,342	\$62,520	\$5,210

TO CALCULATE RESTRICTED RENT:

Step 1: Use the chart below to determine maximum Housing Cost. When forecasting rents for a project combining Tax Credit Allocation Committee (TCAC) or HOME funds and other SDHC funding sources, use the lower rent for each unit type. (AMI= Area Median Income)

Maximum Housing Cost (rent including utilities allowance)
(Revised: June 2014)

Rents Affordable at:	50% of AMI		60% of AMI		65% of AMI	
		If TCAC or HOME funds are used		If TCAC funds are used		If HOME funds are used
Studio	\$691	\$691	\$830	\$829	\$898	\$900
1 BR	\$790	\$740	\$948	\$888	\$1,026	\$967
2 BR	\$889	\$888	\$1,067	\$1,066	\$1,154	\$1,167
3 BR	\$986	\$1,026	\$1,184	\$1,231	\$1,283	\$1,340
4 BR	\$1,066	\$1,145	\$1,280	\$1,374	\$1,385	\$1,475
5 BR	\$1,145	\$1,269	\$1,374	\$1,515	\$1,488	\$1,609
6 BR	\$1,224	\$1,421	\$1,469	N/A	\$1,590	\$1,743

Step 2: Use the chart on the following page to compute utility allowance for each unit by totaling all costs paid by tenant.

Step 3: Compute Net Rent. This computation may be made on a “per unit” or a “total rent” basis.

- A. Subtract Utility Allowance from Housing Cost
- B. Compare to 90% of After-Rehab Market Rent for unit (from appraisal).
- C. Compare to current rent.
- D. The lowest of these is the **Maximum Cash Rent** for the unit.

Attachment 19

San Diego Housing Commission Utility Allowance Schedule
(Revised: 4/1/2014)



**SAN DIEGO
HOUSING
COMMISSION**

**Allowances for Tenant-
Furnished Utilities and Other
Services**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Locality		ENERGY STAR	Unit Type					Date (mm/dd/yyyy)
San Diego Housing Commission			Single Family Home					4/1/2014
Utility or Service		Monthly Dollar Allowances						
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	
Space Heating	a. Natural Gas	16	19	21	23	25	27	
	b. Electric Heat	7	8	9	9	10	11	
Cooking	a. Natural Gas	8	9	10	11	12	13	
	b. Electric	3	5	11	13	16	18	
Other Electric		19	21	28	42	55	69	
Water Heating	a. Natural Gas	9	10	15	19	22	24	
	b. Electric	10	16	26	33	38	41	
Water		42	44	52	61	70	79	
Sewer		38	40	48	48	48	48	
Range/Microwave		5	5	5	5	5	5	
Refrigerator		6	6	6	6	6	6	

Actual Family Allowances To be used by the family to compute allowance.

Unit size:

Utility or Service	Fuel Source	Monthly Allowance
Space Heating		
Cooking		
Other Electric		
Water Heating		
Water		
Sewer		
Range/Microwave		
Other		
Total		

Previous editions are obsolete

ref. Handbook 7420.8

Spreadsheet (ver13) based on form HUD-52867 (12/97).



Attachment 20

Utility Responsibilities Chart

<u>Utility</u>	<u>Type</u> (e.g. Gas or Electric)	<u>Paid By</u>
Heating		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant
Cooking		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant
Hot Water		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant
Other Electric		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant
Refrigerator		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant
Stove		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant
Sewer / Water		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant
Garbage		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant



Attachment 21

**Housing Choice Voucher Payment Standards
Fair Market Rents**

VOUCHER PAYMENT STANDARD

Voucher Size	SRO	0	1	2	3	4	5	6	7	8	Mobile Home
Payment Standard											
Effective June 15, 2009 Intakes & Moves only Effective Sept 1, 2009 – HH changes Effective July 1, 2010 - Recerts	706	942	1074	1304	1901	2293	2636	2980	Effective 10/1/2013 3324	Effective 10/1/2013 3667	677
Effective November 1, 2007 Intakes and Moves Effective February 1, 2008 - Recerts	769	1026	1172	1422	2074	2501	2875	3250	n/a	n/a	746
Choice Communities											
Effective June 1, 2010 Intakes & Moves only Effective Sept. 1, 2010 – Recerts	847	1130	1288	1564	2281	2751	3163	3576	3988	4400	812

Choice Communities Zip Codes: 92106, 92119, 92120, 92124, 92127, 92128, 92130, 92131 & 92037

Current Admin Fees for ports: \$54.44 (effective 4/1/2014)

NEW INCOME LIMITS EFFECTIVE 12/18/2013

FY2014 San Diego Median Income: \$72,700

	1	2	3	4	5	6	7	8
80%	44200	50500	56800	63100	68150	73200	78250	83300
30%	16600	18950	21300	23650	25550	27450	29350	31250

CALWORKS RATES

EFFECTIVE	1	2	3	4	5	6	7	8	9	10	More Than 10
3/1/2014	333	542	670	800	909	1021	1122	1222	1321	1419	\$22 Per Person
7/1/2011	317	516	638	762	866	972	1069	1164	1258	1351	\$21 Per Person

*****These are the most frequently used amount**

SS & SSI Rates:

	January 2014	January 2013	January 2012
SS/SSI/VA COLA (applied at Full Recert)	1.5%	1.7%	3.6%
Triennial COLA (applied at COLA recert - SS & VA only)	1.5%	1.7%	3.6%
SSI individual	\$877.40	\$866.40	\$854.40
SSI Couple	\$1,478.20	\$1,462.20	\$1,444.20
SSI Minor	\$784.40	\$773.40	\$761.40
SSA & SSI Individual	\$897.40	\$886.40	\$874.40
SSA & SSI Couple	--	--	--
Medicare Premium	\$104.90	\$104.90	99.90

Revised March 26, 2014



FAIR MARKET RENTS

FMRs	SRO	0	1	2	3	4	5	6	7	8	Mobile Home
Effective 10/1/2013	704	939	1032	1354	1969	2398	2757	3117	3477	3836	819
Effective 10/1/2012	719	959	1054	1382	2009	2448	2815	3182	n/a	n/a	804
Effective 10/1/2011	738	984	1126	1378	1960	2421	2784	3147	n/a	n/a	795
Effective 10/1/2010	753	1004	1149	1406	1999	2470	2840	3211	n/a	n/a	795
Effective 10/1/2009	708	945	1082	1324	1883	2326	2674	3023	n/a	n/a	770
Effective 10/1/2008 (50 th percentile)	768	1024	1168	1418	2067	2493	2866	3240	n/a	n/a	736
Effective 10/1/2007 (50 th percentile)	733	978	1117	1355	1976	2382	2739	3096	n/a	n/a	711
Effective 10/1/2006 (50 th percentile)	652	870	993	1205	1757	2118	2435	2753	n/a	n/a	683
Effective 03/01/06 (40 th percentile)	570	760	870	1065	1514	1871	2151	2432	n/a	n/a	649
Effective 10/01/05	627	836	954	1158	1688	2036	2341	2646	n/a	n/a	649
Effective 10/01/04	640	854	975	1183	1725	2080	2392	2704	n/a	n/a	579
Effective 10/01/03	616	822	939	1175	1636	1928	2217	2506	n/a	n/a	579
Effective 10/02/02	574	766	875	1095	1524	1796	2065	2334	n/a	n/a	539
Effective 01/02/01	470	627	716	896	1247	1470	1690	1943	n/a	n/a	441
<i>Effective 10/01/00</i>	449	599	684	856	1191	1404	1615	1825	n/a	n/a	441



Attachment 22

Equal Employment Opportunity Certificate of Compliance

Submit completed form to:
 San Diego Housing Commission
 Attn: Civil Rights Office
 1122 Broadway Ste. 300
 San Diego, CA 92101
 Phone (619) 578-7597/ Fax (619) 578-7349

COMPANY INFORMATION

Company Name:	Contact Name:
Company Address:	Contact Phone:
Company Official:	Contact Email:

CONTRACT INFORMATION

Contract/Project Title:	Start Date:
Contract Number:	End Date:

Project Location:

Special Notations:

SUMMARY OF EQUAL EMPLOYMENT OPPORTUNITY PROGRAM COMPLIANCE

The San Diego Housing Commission (SDHC) is committed to an Equal Employment Opportunity Program, pursuant to applicable federal and state laws, which provides equal opportunity in all activities of SDHC, including the provision of equal business opportunity to individuals and firms that contract with SDHC. To comply with the requirements of SDHC's Equal Employment Opportunity Program, the Contractor will certify that:

- The Contractor will comply with Executive Order 11246, Title VII of the Civil Rights Act of 1964, as amended, the California Fair Employment Practices Act and all other applicable federal and state laws and regulations now in effect or hereinafter enacted.
- The Contractor will submit to SDHC a current San Diego County "Workforce Report."
- The Contractor will submit to SDHC, if requested, an "Equal Employment Opportunity Plan" that addresses the corrective actions that will be undertaken by Contractor if any discriminatory outreach or hiring practices are uncovered or determined to be in existence from the analysis of the aforementioned "Work Force Report."
- The Contractor will introduce outreach and hiring practices to maximize employment opportunities for all qualified individuals.

CERTIFICATION OF COMPLIANCE

I am an official signatory of the above-referenced entity, which is duly authorized to conduct business in the City of San Diego, State of California. I hereby certify that this entity will comply with all requirements of the Equal Employment Opportunity Program of the San Diego Housing Commission.

 Name of Authorized Official (Print)

 Title

 Signature of Authorized Official

 Date

FOR OFFICIAL SAN DIEGO HOUSING COMMISSION USE ONLY

Receipt Date: _____ Program Analyst: _____ Approved _____ Not Approved (Reason): _____



SAN DIEGO
HOUSING
COMMISSION

Attachment 23

Affirmative Fair Housing Marketing Plan

For the Affirmative Fair Housing Marketing Plan, please click on the link below.

<http://portal.hud.gov/hudportal/documents/huddoc?id=935-2a.pdf>



SAN DIEGO
HOUSING
COMMISSION

Attachment 24

Workforce Report

<http://www.sandiego.gov/eoc/pdf/bb05.pdf>



Attachment 25

Sample SDHC Insurance Requirements

BORROWER acknowledges the receipt of these insurance requirements and agrees to maintain in full force and effect, the following policies during the term of the SAN DIEGO HOUSING COMMISSION's (hereinafter "SDHC") loan at BORROWER's sole cost and expense. All policies shall contain a provision requiring thirty (30) days advance written notice to the SDHC of cancellation. Borrower agrees to maintain the following insurance coverage:

Required Insurance: To at all times provide, maintain and keep in force at BORROWER's sole expense the following policies of insurance:

(a) Insurance against loss or damage to the Improvements by fire and any of the risks covered by insurance of the type now known as "fire and extended coverage", in an amount no less than the original amount of the Note plus any senior liens or encumbrances or the full replacement cost of the improvements, including the cost of debris removal (exclusive of the cost of excavations, foundations and footings below the lowest basement floor), whichever is greater, and with not more than One Thousand Dollars (\$1,000.00) deductible from the loss payable for any casualty. The policies of insurance carried in accordance with this subparagraph (a) shall contain the "Replacement Cost Endorsements";

(b) If requested by SDHC, business interruption insurance and/or loss of "rental value" insurance in such amounts as are satisfactory to SDHC;

(c) Comprehensive general public liability insurance, including coverage for elevators and escalators, if any, on the Property insuring against claims for "personal injury", including, without limitation, bodily injury, death or property damage occurring on, in or about the Property or adjoining streets, sidewalks and passageways, such insurance to afford immediate minimum protection to a limit of not less than Two Million Dollars (\$2,000,000.00) per occurrence, with respect to personal injury or death to any one or more persons or damage to property (as that amount may be increased from time to time by SDHC in its reasonable discretion);

(d) Worker's compensation insurance (including employer's liability insurance, if requested by SDHC) for all employees of BORROWER engaged on or with respect to the Property in such amount as is reasonably satisfactory to SDHC, or if such limits are established by law, in such amounts;

(e) During the course of any construction or repair of Improvements on the Property, builder's completed value risk insurance against "all risks of physical loss", including collapse and transit coverage, during construction of such Improvements, with deductibles not to exceed Ten Thousand Dollars (\$10,000.00), in non-reporting form, covering the total value of work performed and equipment, supplies and materials furnished. Said policy of insurance shall contain the "permission to occupy upon completion of work or occupancy" endorsement;

(f) Boiler and machinery insurance covering pressure vessels, air tanks, boilers, machinery, pressure piping, heating, air conditioning, and elevator equipment and escalator equipment provided the Improvements contain equipment of such nature, and insurance against loss of occupancy or use arising from breakdown of any of the items referred to in this subparagraph (f), in such amounts as are reasonably satisfactory to SDHC;

(g) Insurance against flood damage, including surface waters, if the Property is located in an area considered a flood risk by the United State Department of Housing and Urban Development; and

(h) Such other insurance (including, but not limited to, earthquake insurance), and in such amounts, as may from time to time be required by SDHC against the same or other hazards.



All policies of insurance required by the terms of the Deed of Trust shall contain an endorsement or agreement by the insurer that any loss shall be payable in accordance with the terms of such policy, notwithstanding any act or negligence of BORROWER which might otherwise result in forfeiture of said insurance, and the further agreement of the insurer waiving all rights of setoff, counterclaim or deductions against BORROWER.

Delivery of Policies, Payment of Premiums: All policies of insurance shall be issued by companies and in amounts in each company satisfactory to SDHC. All policies of insurance shall have attached thereto a lender's loss payable endorsement for the benefit of the holder of the first priority deed of trust on the property and improvements, and then for the benefit of SDHC in form satisfactory to SDHC. BORROWER shall furnish SDHC with an original copy of all policies of required insurance. At least thirty (30) days prior to the expiration of each such policy, BORROWER shall furnish SDHC with evidence satisfactory to SDHC of the payment of premium and the re-issuance of a policy continuing insurance in force as required by the Deed of Trust. All such policies shall contain a provision that such policies will not be canceled or materially amended, which terms shall include any reduction in the scope of limits of coverage, without at least thirty (30) days prior written notice to SDHC. In the event BORROWER fails to provide the policies of insurance required by the Deed of Trust, SDHC may procure such insurance or single-interest insurance for such risks covering SDHC's interest, and BORROWER will pay all premiums thereon promptly upon demand by SDHC, and until such payment is made by BORROWER the amount of all such premiums, together with interest thereon at the rate of ten percent (10%) per annum or the maximum rate allowed by law, whichever is less.

In the event of any lender, who has a secured interest in the Property, requires additional insurance and/or insurance with greater coverage than that required by this STATEMENT OF INSURANCE REQUIREMENTS, BORROWER agrees to provide to and name the SDHC on such policies providing greater and additional coverage.

Borrower, by execution of the STATEMENT OF INSURANCE REQUIREMENTS, agrees to provide the required insurance during the term of the loan and to require all successors in interest to agree to provide such coverage for the benefit of the SDHC. BORROWER acknowledges that performance of the covenants contained herein is a material inducement to making the loan to BORROWER.



Attachment 26

HOME Program Basics

This information is highly abridged and is applicable only to this NOFA. Applicants are strongly encouraged to review the complete HOME Investments Partnership Program Regulations at [24 CFR 92](#).

WHAT IS HOME?

The HOME Investment Partnerships Program (HOME) became law in 1990. HOME provides an annual formula-based federal grant to the City of San Diego for various affordable housing activities. The City of San Diego has delegated administration of the HOME Program to the San Diego Housing Commission (SDHC).

WHICH DEVELOPMENT ACTIVITIES ARE HOME-ELIGIBLE UNDER THIS NOFA?

HOME funds may be used to develop and support affordable non-luxury rental housing through:

Acquisition	Acquisition of property.
Rehabilitation/New Construction	Conversion of commercial property to residential use, reconstruction, rehabilitation (\$25,000/unit or less), substantial rehabilitation (over \$25,000/unit), new construction.
Other Eligible Activities	Certain activities are eligible only when undertaken in conjunction with acquisition or rehabilitation: demolition, financing costs, on-site infrastructure when essential to development of project, new off-site utility connections to an adjacent street, relocation costs, and site improvements.

WHAT TYPES OF HOUSING ARE ELIGIBLE FOR HOME FUNDS UNDER THIS NOFA?

Affordable permanent supportive housing units created through new construction, acquisition, and rehabilitation are eligible under this NOFA. Funding emergency shelters is **not** allowed with HOME funds. Projects must be completed within four years of the commitment date.

HOME-ASSISTED UNITS

Only units receiving HOME monies are considered "HOME-assisted units". HOME per unit subsidy limits, rent limits, and HOME occupancy requirements apply only to "HOME-assisted units."

WHAT ARE THE HOME SUBSIDY LIMITS?

- B. Minimum HOME funds - \$1,000 per HOME-assisted unit.
- C. Maximum HOME funds are limited by THE LESSER OF:
 1. HOME assistance cannot exceed the (HUD 221(d)(3) limit) maximum amounts per HOME unit:

Bedrooms Size	Maximum HOME Subsidy Per Unit Effective 01/1/12
0 Bedrooms	\$132,814
1 Bedrooms	\$152,251
2 Bedrooms	\$185,136
3 Bedrooms	\$239,506
4+ Bedrooms	\$262,903

OR

- 2. HOME assistance per unit may not exceed the development cost per unit. This prevents HOME funds from subsidizing non-HOME-assisted units, which are not under HOME occupancy and rent restrictions.

OR

- 3. HOME projects may not receive more subsidy than required to produce financially feasible projects. Typically, project income will cover debt service on a commercial loan and HOME funds will be used for gap financing.

HOME AFFORDABILITY REQUIREMENTS

HOME-assisted units must be affordable at initial occupancy and over an established “affordability period” which varies based on the amount of HOME investment and the activity undertaken. Generally, rents are affordable under the HOME program for a period of 15 years for rehabilitation projects, and for 20 years on new construction activities.

WHAT ARE THE OCCUPANCY REQUIREMENTS FOR HOME-ASSISTED UNITS?

HOME-assisted units must be initially occupied by families who have annual incomes that are 60 percent or less of San Diego's Area Median Income (AMI). In projects of five or more units, at least 20 percent of the HOME-assisted units must be occupied by families who have annual incomes that are 50 percent or less of San Diego's AMI. See Attachment 18 for rent calculation and income limits.

WHAT ARE THE MAXIMUM INITIAL RENTS FOR HOME-ASSISTED RENTAL UNITS?

Every HOME-assisted unit is subject to rent restrictions called "HOME rents." For properties of five or more units, there are two HOME rents established for every project: "High HOME rents" and "Low HOME rents."

Please consult with SDHC Housing Development and Finance staff or the HOME program coordinator to obtain the latest High and Low HOME rents or for information on rents applicable to proposed Single-Room Occupancy (SRO) hotel projects.

Attachment 18 details how restricted rents are calculated utilizing the utility allowances. Utility allowance calculation worksheet is available in Attachment 19.

Based on future HUD calculations, "HOME rents" may increase or decrease over the required affordability term. HOME rents could decrease but project rents are not required to fall below the HOME rent limits in effect at the time of project commitment. If the financial feasibility of the project is threatened, then the SDHC could choose to request that HUD approve making adjustments to the project's rent structure; however, such SDHC request to HUD and/or such HUD approval are discretionary and are **not** guaranteed.

HOW LONG WILL THE HOME-ASSISTED UNITS BE RESTRICTED?

- A. Generally, the affordability period for SDHC projects is 55 years.
- B. Tenant incomes and rents are strictly controlled during affordability period. Owners are required to examine tenant incomes annually to ensure that tenants meet the HOME and/or HTF income requirements.
- C. The rent and occupancy restrictions will be incorporated into a regulatory agreement and will bind the project for the full term of the regulatory agreement regardless of prepayment, sale or transfer. However, if a private lender's senior loan goes into default and foreclosure proceedings occur resulting in elimination of the HOME loan, then the HOME restrictions are eliminated. The affordability restrictions are revived if, during the original affordability period, the owner before the foreclosure or any entity including that owner obtains an ownership interest in the project.

COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDOs)

A Community Housing Development Organization (CHDO) is a private, nonprofit, community-based service organization that has obtained staff with the capacity to develop affordable housing for the community it serves. CHDOs must be certified by the SDHC each time HOME funds are committed to it. SDHC will ensure that the current CHDO staff has experience developing projects of the same size, scope and level of complexity as the activities for which HOME funds are being reserved or committed.

WHAT ARE THE PROPERTY STANDARDS REQUIRED BY HOME?

Project Type	Minimum Property Standards
Rehabilitation	Fair Housing Act and Section 504 accessibility requirements. Local standards including: Codes, Rehabilitation Standards, Ordinances, Zoning Ordinances.
Acquisition Only	Local housing standards.
Energy Standards	Substantial rehabilitation (over \$25,000/ unit): Cost Effective Energy Conservation Standards (24 CFR part 39).

WHAT ARE THE REQUIRED PROPERTY INSPECTIONS?

Projects must be inspected throughout the affordability period to ensure that the units are decent, safe and sanitary. Projects five to 25 units must be inspected every two years; projects with 26 units or more must be inspected every year.

WHAT COSTS ARE HOME-ELIGIBLE UNDER THIS NOFA?

Under this NOFA, HOME funds may be used for the following: acquisition of property; "hard" costs of rehabilitating or constructing housing, "soft" costs associated with acquisition, financing, and/or rehabilitation of housing assisted with HOME. These include affirmative marketing costs, appraisals, architect and engineering fees, building permit fees, credit reports, developer fee, environmental investigations, impact fees, legal and accounting costs, private lender origination fees, recording fees, relocation costs; surety fees, and title insurance.

WHAT ARE EXAMPLES OF COSTS THAT ARE NOT ELIGIBLE UNDER HOME?

HOME funds may **not** be used for certain development costs and activities, including: acquisition of property owned by the participating jurisdiction (in this case, SDHC), except for property acquired in anticipation of carrying out a HOME project; additional funding to a HOME-assisted project, after one year from project completion; emergency repairs, operating subsidies (project-based rental assistance); as a source of match for other federal programs; providing assistance to low-income housing, which is eligible under 24 CFR 248 "Prepayment of Low Income Housing Mortgages."

WHAT OTHER RULES APPLY WITH USE OF HOME FUNDS?

Federal Requirements: Equal Opportunity and Fair Housing (including: Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Equal Opportunity in Housing Executive Orders 11063 and 12259, Age Discrimination Act of 1975, Equal Employment Opportunity Executive Order 11246); Affirmative Marketing; Handicapped Accessibility (including: Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act of 1973) Removal of Physical Barriers: for new construction or substantial rehabilitation of HOME-assisted multifamily rental properties, 5 percent of the units (at least one unit) in the project must be accessible to individuals with mobility impairments and an additional 2 percent of the units (at least one unit) must be accessible to individuals with sensory impairment); Section 3 of the Housing and Urban Development Act (Economic Opportunity); Minority/Women Business Enterprises (including Executive Orders 11625, 12432 12138 and SDHC's policies on M/WBE); Environmental Review; Lead Based Paint Poisoning Prevention Act and related requirements; Davis-Bacon Labor Standards; Fire Administration Authorization Act of 1992; Compliance with the City's Comprehensive Housing Affordability Strategy/Consolidated Plan.

DEBARRED AND/OR SUSPENDED CONTRACTORS

Participants in the HOME Program must certify, pursuant to 24 CFR part 24, that they are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in the covered transaction.

AFFIRMATIVE MARKETING

HOME-assisted projects must be marketed in accordance with SDHC's Affirmative Marketing Procedures.

LOW-INCOME HOUSING TAX CREDIT AND HOME UNDER THIS NOFA

The Low-Income Housing Tax Credit is an annual reduction in federal tax liability for 10 years for owners and investors in low-income rental housing; it is based on the development cost and the number of low-income units. Owners of low-income housing projects may benefit from tax credits by exchanging the tax credits with limited partner investors for cash equity contributions. These equity contributions may be substantial and can reduce the amount of financing needed to

acquire or develop the project, or add an income stream during the years of the project's operation, thereby reducing the rent tenants must pay for the project to operate.

Tax credits and HOME may both be used to finance projects. When tax credits and HOME are used in the same project, the rent for tenants certified as "over income" may remain controlled, rather than increased to the lesser of 30 percent of income or market rent as required in projects without tax credits. The maximum HOME subsidy is no longer reduced by the per unit net proceeds raised by the tax credit. If tax credits and HOME funds are used in the same project, then a tax credit subsidy layering review is required.

Types of credits and applicable percentage:

- For non-federally assisted substantial rehabilitation, present value equal to 70 percent of qualified basis or approximately 9 percent per year for 10 years.
- The IRS now treats HOME money as "non-Federal" funds and therefore recognizes a 9 percent credit if HOME funds are included in the basis. The Revenue Reconciliation Act of 1993 provides that below-market loans funded under HOME will not be classified as federally subsidized.

Occupancy Requirement:

- At least 20 percent of the units must be occupied by households with incomes at or below 50 percent of AMI, or
- At least 40 percent of assisted units must be occupied by households with incomes less than or equal to 60 percent of AMI, adjusted for family size.

Rents:

- Qualified Low-Income Housing Tax Credit (LIHTC) units must not exceed LIHTC-rent limits.
- HOME assisted units must meet High and Low HOME rent requirements.
- If a unit is being counted under both programs, the stricter rent limit applies.

The increase in "eligibility basis" allowed for projects situated in "qualified census tracts" and "difficult development areas" does not apply. Combining HOME and tax credit affects rental properties in various complex ways and developers are urged to consult an expert prior to submitting their proposal.

NOTES OF CAUTION

The following have been problems on previous proposal responses:

1. To calculate the required number of HOME units: Divide the total HOME funds requested by the total development costs, then multiply this number by the total units in the project (round fractions up). This equals the number of HOME-assisted units that must be provided. For example, if the project's total development cost is \$200,000, the total HOME funds requested is \$50,000, and the total number of units is 50, then $\$50,000/\$200,000 = 0.25 \times 50 = 13$ HOME-assisted units.
2. Davis-Bacon Labor Standards apply to all projects with 12 or more HOME-assisted units. Using HOME funds for only property acquisition will NOT eliminate the Davis-Bacon requirement; the Davis-Bacon requirement applies to all projects with 12 or more units regardless of how the HOME funds are used.
3. HOME-assisted units under this NOFA must be initially occupied by families who have annual incomes at or below 60 percent of San Diego's AMI. **DO NOT PROPOSE HOME-ASSISTED UNITS AT HIGHER THAN 60 PERCENT OF SAN DIEGO'S AMI.**
4. The HOME funds in this NOFA are not to be used for refinancing. **Developers are cautioned to not acquire property before SDHC has approved the proposal.**
5. HOME funds require environmental review, including lead based paint abatement and asbestos abatement. Properties built before 1978 should be inspected for lead paint and asbestos. NOTE: There are new, substantially different, lead-based paint requirements described in the September 15, 1999, Federal Register at page 50140 and 24 CFR PART 35.

6. If borrowing more than \$200,000 of HOME funds, the borrower must comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (section 3). Under Section 3, HUD requires that economic opportunities such as employment, contracting, and training shall, to the greatest extent feasible, be directed to low-income persons and to business concerns that provide economic opportunities to low-income persons. The borrower must insert the clause set forth in 24CFR135.38 (Section 3 Clause) in its contractor and subcontractor agreements for construction, reconstruction, or rehabilitation-related services that exceed \$100,000.
7. Nonprofits that expend \$500,000 or more of federal funds in a year shall have a single or program-specific audit. See Office of Management and Budget Circular A-133 (www.whitehouse.gov/omb/).

The undersigned has read and reviewed the “Home Program Basics Section” under this Notice of Funding Availability

Authorized Signature

Typed Name

Title

Date Signed

Attachment 27

CITY OF SAN DIEGO Consolidated Plan Certification Process

All entities that apply for federally funded affordable housing programs must receive a certification from the City of San Diego (City) affirming the proposed program activities are consistent with the priorities and implementation plan contained in the City's current Consolidated Plan. This certification is accomplished through the following three-step process:

1. **SUMBIT CONSOLIDATED PLAN CERTIFICATION FORM AND PROJECT DESCRIPTION:** Submit form to the City's HUD Program Administrator requesting certification of consistency with the Consolidated Plan. Your project description should provide, at a minimum, the information specified in the following sample letter.
2. **REVIEW:** City staff will review the request and make a determination of Consolidated Plan consistency.
3. **NOTIFICATION:** If all necessary information has been included with the request, and if the funding application or proposal is found to be consistent, the applicant will receive a certification form from the City. If the request is not complete, or if the proposal is not found to be consistent with the Consolidated Plan, the applicant will receive a notification from the City explaining the reason for the denial. The applicant will be asked to provide the missing information or to respond to the denial.

The City will review funding applications and proposals for Consolidated Plan consistency. All requests should be directed to the following address:

**HUD Programs Manager
HUD Programs Administrative Office
City of San Diego
1200 Third Avenue, Suite 1400
San Diego, CA 92101**

If you have any questions regarding the Consolidated Plan certification process, please contact Leo Alarcon at 619/236-6944. **Early requests are recommended.**

Sample Letter Requesting Consolidated Plan Certification

(Date)

HUD Programs Manager
HUD Programs Administrative Office
City of San Diego
1200 Third Avenue, Suite 1400
San Diego, CA 92101

Dear HUD Programs Manager:

[First Paragraph: Identify your organization and the federal program for which you are applying.]

The (name of organization), located at (address, including zip code), will submit an application to the San Diego Housing Commission on (date) for funding under the (official name of the Federal Program), pursuant to a Notice of Funding Availability (NOFA) dated (date). According to the NOFA, the application deadline for the funding is (date).

[Second Paragraph: State your request.] (Name of organization) is requesting certification from the City of San Diego that the project described below, is consistent the FY 2015-2019 Consolidated Plan for HUD Programs. This project is intends to meet the following Consolidated Plan Goals:

- Enhance the City’s economic stability and prosperity by increasing opportunities for job readiness and investing in economic development programs.
- Strengthen neighborhoods by investing in the City’s critical public infrastructure needs.
- Improve housing opportunities by creating and preserving affordable rental and homeowner housing in close proximity to transit, employment and community services.
- Assist individuals and families to stabilize in permanent housing after experiencing a housing crisis or homelessness by providing client-appropriate housing and supportive service solutions.
- Invest in community services and non-profit facilities that maximize impact by providing new or increased access to programs that serve highly vulnerable populations such as youth, seniors and food insecure households.
- Meet the needs of person with HIV/AIDS and their families through the provision of housing, health, and support services.

[Third Paragraph: Describe your project, include the amount being requested, the census tract, block group and location of the facility or site where the funding will be used, the purpose for which the funds will be used, the number of families who will be served, the income of families who will be served, and a time line indicating when the project will be completed. Also include how the project will meet the Goal selected.]

Thank you for your consideration. (Name of organization) looks forward to receiving a response from the City of San Diego to this request for Consolidated Plan Certification.

Sincerely,

(Typed name)
(Typed organizational title)



Attachment 28

Management Plan Checklist

The Management Plan is required to follow the format below.

Management

- Role and Responsibility of the Owner and/or Delegation of Authority of the Managing Agent
 - Description of Site/Units
 - Scope of Duties
 - Changes in Management
- Personnel Policy and Staffing Arrangements
 - Hiring and Personnel Policies
 - Projected Staffing (On-Site Manager 16 or more units)
 - Training and Monitoring
 - Hiring of Residents
- Maintaining Adequate Accounting Records and Handling Necessary Forms and Vouchers
 - Accounting Basis
 - Collections and Disbursements
 - Contracting, Purchasing, Cost Controls
 - Compliance and Reporting
 - Vacancies and Rent Losses
 - Security Deposits
- Provisions for Update of Management Plan
- Insurance

Occupancy

- Plan and Procedures for Publicizing and Achieving Early and Continued Occupancy
 - Outreach (Affirmative Fair Housing Marketing/Advertising)
 - Resident Selection
 - Waiting List
 - Orientation
- Procedures for Determining Resident Eligibility and for Certifying and Annually Recertifying Household Income and Size
 - Initial Certification
 - Recertification
 - Changes in Eligibility during Occupancy
 - Leasing Procedures
- Rent Collection
 - Rent Payment
 - Late Rents
 - Rent Increases
- Procedure for Appeal, Grievance and Eviction
 - Right to Hearing
 - Eviction Procedures
- Plans for Enhancing Resident-Management Relations
 - Resident Organization(s)
 - Community Room
 - Auxiliary Program
- Tenant Files Management
 - Property Management Software
 - Privacy and Sensitive Information Safeguards

Maintenance and Security

- Construction Follow-Up
- Maintenance Programs
 - Maintenance Duties
 - Maintenance Supervision and Performance
 - Resident Maintenance Requests
 - Resident Neglect and Abuse
 - Preventive Maintenance
 - Emergency Maintenance
 - Gardening and Landscape
 - Contractor/Vendor Management
 - Maintenance Stock Control
- Security

Grievance and Appeal Procedure

- Definitions
- Applicability
- Right to a Hearing
- Types of Hearings
 - Informal Hearing
 - Presentation of grievance
 - Summary and answer
 - Request for a formal hearing
 - Failure to request a hearing
 - Formal Hearing
 - Selection of the hearing officer or hearing panel
 - Time limits
 - Fair hearing
 - Private hearing
 - Discovery
 - Disputed carrying charges or other charges
 - Proof
 - Failure to appear at hearing
- Decisions of the Hearing Officer or Hearing Panel
 - Binding effect
 - Proposed decision
 - Written decision
 - Costs
- Enforcement of Hearing Officer's or Hearing Panel's Decision
 - Compliance with decision
 - Failure to comply with decision
 - Enforcement of an eviction action
- Right To Go To Court

Attach the Affirmative Fair Housing Marketing Plan

Attachment 29

Relocation Consulting Firms

This list contains the name of relocation consulting firms who have expressed interest in providing relocation consulting services for SDHC-financed acquisition and/or rehabilitation affordable rental housing projects. The project developer is the responsible party that hires the consultant for performance of needed services. While these firms have undergone some level of initial screening, SDHC MAKES NO REPRESENTATIONS AS TO THE QUALITY OF THEIR WORK. We strongly encourage checking references of consultants that you are considering for your project.

<p>Epic Land Solutions, Inc. Contact: Walt Evans, Regional Manager San Diego and Imperial Counties</p>	<p>2815 Camino Del Rio South, Suite 245 San Diego, CA 92108 Telephone: (619) 822-2763 Fax: (619) 574-2667</p> <p>2601 Airport Drive, Suite 115 Torrance, CA 90505 Telephone: (310) 626-4848 Fax: (310) 891-3348 Email: info@epicland.com</p>
<p>Overland, Pacific & Cutler, Inc. Contact: Vince McCaw, Senior Project Manager</p>	<p>438 Camino Del Rio South, Suite 213 San Diego, CA 92108 Telephone: (619) 688-7980 Fax: (619) 688-7985</p> <p>3750 Schauffele Avenue, Suite 150 Long Beach, CA 90808 Telephone: (562) 304-2000 Fax: (562) 304-2020</p>
<p>Paragon Partners Ltd. Contact: Darryl Root, Vice President, Marketing & Business Development</p>	<p>5762 Bolsa Avenue, Suite 201 Huntington Beach, CA 92649 Telephone: (714) 379-3376 Fax: (714) 373-1234 Email: info@paragon-partners.com</p>
<p>Universal Field Services, Inc. Corporate Headquarters</p>	<p>6666 S. Sheridan Road, Suite 230 Tulsa, OK 74133 Telephone: (918) 494-7600 Telephone: (800) 447-9191 Fax: (918) 494-7650 Email: universal@ufsrw.com</p>



Attachment 30

Sample Board Resolution

[Letterhead of Borrower]

RESOLUTION OF BOARD OF DIRECTORS

OF

WHEREAS, _____ is a _____ [Status of Corporation, i.e. A Nonprofit Public Benefit Corporation, qualified pursuant to the provisions of Internal Revenue Code Section 501(c)(3), etc.]; and

WHEREAS, _____, recognizes that the community at large, and especially low-income residents have many diverse needs for social, housing, education and other services; and

WHEREAS, _____, is committed to effectively serving the communities referenced in the prior recital; and

NOW, THEREFORE BE IT RESOLVED as follows:

1. That _____ is committed to providing safe, decent and affordable housing for persons of very low, low and moderate income levels;

2. That on or about _____, 20 ____, the Board of Directors voted to authorize the [title of person authorized], or his designee, to apply for and accept assistance of the Project located at [address], for the purpose of obtaining financing and or a grant to provide for the [purpose, i.e. acquisition, rehabilitation, refinancing, tenant relocation, construction, etc.] of the Project, in an amount not to exceed (\$) from the San Diego Housing Commission and/or the Housing Authority of the City of San Diego.

3. That the Board of Directors further voted to authorize the _____ [title of person], or his designee, to execute any and all documents required by the San Diego Housing Commission and or the Housing Authority of the City of San Diego, including, without limitation, the Loan Agreement, the Note, the Deed of Trust, the Declaration of Covenants, Conditions and Restrictions, the Security Agreement, the Unsecured Environmental Indemnity Agreement, the UCC-1 Financing Statement, Escrow Instructions, Disclosure Statements, and any and all other documents requested by the San Diego Housing Commission and/or the Housing Authority, to document and secure its loan and or grant.

4. That the Board of Directors further authorized the _____ [title of person], or his designee, to perform all acts and to do all things necessary, in the opinion of the San Diego Housing Commission or the Housing Authority of the City of San Diego to implement the funding and making of the Loan and/or Grant.

I, the undersigned, certify that this Resolution was adopted at regularly or specially noticed meeting of the Board of Directors on _____, 20____, at which a quorum of the Board of Directors was present, and at which the requisite percentage of the quorum voted to adopt the Resolution and that the Resolution has not been rescinded, modified or canceled as of the date of my execution of the same and that it remains in full force and effect as of this date. I further understand that the San Diego Housing Commission and or Housing Authority of the City of San Diego is relying on the validity of this Resolution in taking the actions to process and approve the application.

I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

Executed this ____ day of _____, 20 ____, at San Diego, California.

By: _____
Signature

Title



SAN DIEGO
HOUSING
COMMISSION

Attachment 31

SDHC Sustainable Development Guidelines

Click here to access the SDHC [Sustainable Development Guidelines](#)



SAN DIEGO
HOUSING
COMMISSION

Attachment 32

Sample agreement to enter into Housing Assistance Payment Contract (AHAP)

[Click here to access the sample AHAP Part 1](#)

[Click here to access the sample AHAP Part 2](#)



SAN DIEGO
HOUSING
COMMISSION

Attachment 33

Sample Housing Assistance Payment Contract (HAP)

[Click here to access the Sample HAP \(Rehabilitation or New Construction\)](#)

[Click here to access the Sample HAP \(Existing Housing\)](#)