

# **New York State HOME Local Program**

FY 2106 and 2017

Request for Proposals (RFP)



**Homes and  
Community Renewal**

OFFICE OF COMMUNITY RENEWAL  
GOVERNOR

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## 1. INTRODUCTION

In accordance with New York State's 2016-2020 Consolidated Plan and its 2016 and 2017 Annual Action Plans, the Housing Trust Fund Corporation (HTFC) through the Office of Community Renewal (OCR), invites eligible applicants to submit applications for federal fiscal year 2016 and 2017 HOME Investment Partnerships Program funding allocated to New York State by the Department of Housing and Urban Development (HUD) for the NYS HOME Local Program.

The NYS HOME Local Program is administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR). The program funds a variety of residential housing activities across the State to expand the supply of decent, safe, and affordable housing for low and moderate income families.

The program typically provides grants to units of local government (counties, cities, towns and villages) that are not federal HOME program participating jurisdictions, to non-profit corporations, housing authorities and community housing development organizations (CHDO's).

This RFP describes the requirements to apply for NYS HOME Local Program funds and explains the process by which the HTFC and the OCR will evaluate applications.

LPAs apply for NYS HOME Local Program funds using HCR's Community Development On-Line System (CDOL), which is accessible online at:  
<http://www.nyshcr.org/Apps/CDOnline/>.

The Federal regulations set forth at 24 CFR Part 92 are the governing regulations of the NYS HOME Local Program.

## 2. ELIGIBLE ACTIVITIES, MAXIMUM AWARD AMOUNTS, MAXIMUM PER UNIT AMOUNTS:

Applications will be accepted for the following residential housing activities:

### a) Homeowner Housing Rehabilitation With or Without Rental Units:

**Homeowner Housing Rehabilitation:** funds may be requested for the repair or rehabilitation of an owner-occupied single-family (1-4) unit dwelling unit to meet NYS and/or Local Code upon completion of construction activities.

**Maximum Award up to \$450,000 – Maximum Per-unit up to \$50,000**

**Homeowner Housing Rehabilitation with Rental Units:** funds may be requested for housing rehabilitation of the homeowner unit and additionally rehabilitating HOME eligible rental units in a single family (2-4 unit) property.

**Maximum Award up to \$450,000 – Maximum Per-unit up to \$50,000**

**b) Manufactured Housing Replacement**

As an owner-occupied housing rehabilitation activity, funds may be requested to assist an owner to demolish and dispose of a sub-standard manufactured home and replace it with a new manufactured home. Manufactured home replacement is considered reconstruction for the purposes of the HOME Local program.

**Maximum Award up to \$600,000 – Maximum Per-unit up to \$100,000**

**c) Homebuyer Purchase Assistance With or Without Housing Rehabilitation**

**Homebuyer Purchase Assistance:** funds may be requested to assist a homebuyer to provide down payment and/or closing cost assistance to purchase a single family (1-4) unit, non-HOME assisted existing home or newly constructed home.

**Maximum Award up to \$400,000 – Maximum Per-unit up to \$40,000**

**Homebuyer Purchase Assistance with Housing Rehabilitation:** funds may be requested to assist a homebuyer to provide down payment and/or closing cost assistance and funds for housing rehabilitation to purchase a single family (1-4) unit, non-HOME assisted existing home.

**Maximum Award up to \$600,000 – Maximum Per-unit up to \$60,000**

**d) Homebuyer Development Projects – LPA & CHDO**

Funds may be requested to assist a CHDO or an LPA to acquire an existing, vacant, substandard home that will be substantially rehabilitated and then sold to a HOME eligible home buyer, or to build a new construction home that will be sold to a HOME eligible buyer. Site Control: LPAs and CHDOs must have purchase options for site control at application and, if awarded funds, obtain full site control within 60 days of the execution of the contract with the HTFC. CHDOs and LPA housing developers will receive points based on the extent to which the program will incorporate green building practices and energy efficiency measures for the HOME assisted unit. Additional points will be awarded for projects that agree to certify the homes in a green building rating system such as LEED for Homes or Enterprise Green Communities Criteria.

**Maximum Award up to \$750,000 – Maximum Per-unit up to \$75,000**

**e) Rental Rehabilitation**

Funds may be requested to provide housing rehabilitation of non-owner-occupied eligible rental units that are scattered site or a multiple unit single site. The project may assist 11 units or less. All HOME assisted rental units must be rehabilitated to meet NYS and/or Local Code upon completion. The owner must agree to HOME rental requirements pertaining to occupancy, affordability and lease up requirements throughout the required affordability period.

**Maximum Award up to \$715,000 – Maximum Per-unit up to \$65,000**

**f) Tenant based Rental Assistance (TBRA)**

Funds may be requested to provide monthly tenant-based rental assistance to assist families at or below 60% of area median income that have applied for a Housing Choice Voucher (Section 8) rental subsidy and are currently on the waiting list for assistance. Security deposits and tenant utility deposits may also be eligible.

**Maximum Award up to \$400,000 – Maximum Per-unit up to \$40,000**

**3) FUNDING**

- i. The HTFC will make approximately \$18.5 million in federal fiscal year 2016 and 2017 NYS HOME Local Program funds available for application by LPAs in this RFP.
- ii. Applicants must choose only one eligible Administrative Plan activity to perform for each awarded contract. No two eligible activities may be combined into one contract.
- iii. **NEW! Performance Based Incentives and Multi-Year Contracts:**
  - (1) **Performance Based Incentives (PBIs):** After the award of funds and contract execution, LPAs that demonstrate high performance of the contract, will be reviewed by the HTFC and HOME Local Program Managers 6 months prior to expected contract close out. If conditions are favorable, a PBI may be awarded. If a PBI is approved, the LPA will be awarded additional de-obligated and or uncommitted HOME funds to be added into their current contract. LPAs must perform the same HOME eligible activity that was approved in the original contract.
  - (2) **Multi-Year Contracts:** After the award of funds and contract execution, LPAs that demonstrate high performance will be reviewed by the HTFC and HOME Local Program Managers, 6 months prior to expected contract close

out, to determine if an LPA is eligible to receive a multi-year contract for funding. If conditions are favorable, a multi-year contract would be issued based on the HTFC receipt of 3 years of FY HOME funds. If awarded, the LPAs current contract will be amended to include the future FY funds without the LPA having to re-apply for funding. LPAs must perform the same HOME eligible activity that was approved in the original contract.

#### **4) CONTRACT TERM**

- i. The contract term shall not exceed two (2) years from commencement of the program.
- ii. Requests for extensions will be limited or not approved.

#### **5) ADMINISTRATIVE, PROJECT DELIVERY, LPA/CHDO DEVELOPER FEES**

- i. LPAs will be able to access up to 5 % of the total award for administrative purposes.
- ii. LPAs will be able to access up to 13% of the total award to pay LPA staff costs of project delivery.
- iii. Developers (LPAs & CHDOs) will be able to access up to 18 % of the total award as a developer fee.
- iv. Consultants hired to administer the program on behalf of the LPA must be paid from administrative funds.

#### **6) ELIGIBLE APPLICANTS**

- i. Eligible Local Program Administrators (LPAs) generally are defined as units of local government to include counties, cities, towns and villages (contracted with the HTFC as State recipients), non-profit corporations incorporated under State Non-Profit Corporation Law and Housing Authorities (contracted with the HTFC as Sub-recipients), and Community Housing Development Organizations (CHDO's, contracted with the HTFC as CHDO's).
- ii. **NEW!** The State anticipates that some HOME funds may be used for eligible activities that are located in HOME Participating Jurisdictions (HOME PJs). Preference will be given to projects in which the HOME PJ collaborates directly with a non-profit affordable housing applicant who is applying for NYS HOME Local Program funds to deliver affordable housing units. The State will assist the HOME PJ non-profit to ensure coordination of effort and appropriate subsidy layering. The project must decrease the typical amount of State HOME funds needed to complete

the project and increase the amount of funds leveraged by the non-State HOME PJ.

- iii. To be eligible to apply, LPAs must have been in existence and providing recent and relevant residential housing services to the community for at least one year prior to application.
- iv. LPAs must be able to demonstrate local market need for the activity/program to be performed in the proposed service area and the capacity to utilize the amount of funding requested within the 2 year contract term.

## **7) CAPACITY AND PRIOR EXPERIENCE**

- i. Applicants for NYS HOME Local Program funds, as with all competitive OCR Program funds, are subject to an evaluation of prior program funding history, prior program administration performance and organizational capacity. The contract term is 2 years. Interested parties are discouraged from applying for NYS HOME Local Program funds if:
  - (1) The program activities cannot be completed within the 2 year term
  - (2) The amount of funding requested cannot be expended within the 2 year term.
- ii. Furthermore, applicants to the OCR must resolve any and all outstanding monitoring and/or non-compliance issues that involve a violation of Federal, State or local regulations, and/or program and OCR requirements prior to the submission of an application for funding. Applicants that do not resolve monitoring and/or non-compliance issues will be deemed ineligible and the application will not be accepted or reviewed. The OCR will provide, upon request, status information related to the above items for any potential applicants.
- iii. Prior to submitting an application for funding, applicants for this round of HOME Local Program funding should evaluate the progress of their open grant portfolio to determine if additional funds are warranted at this time. For each open grant, applicants should evaluate the progress of their program(s) in terms of achieving the accomplishments set forth in the OCR-approved application and their HTFC contract. Factors such as the rate of expenditure during the term of the HTFC contract, the number of contract extensions requested and compliance with all HTFC contract terms will be used to determine satisfactory performance in review by the OCR of all applications.
- iv. Applicants may be negatively impacted by unsatisfactory performance or may be determined to be ineligible for a grant when prior performance evidences significant lack of capacity to carry out the proposed project or program as required and according to the applicable laws, regulations, policies and procedures governing the

program.

- v. The HTFC and the OCR reserve the right not to fund any application if it has been determined that the applicant is not in compliance with existing State contracts and has not taken satisfactory steps to remedy such non-compliance.

## **8) TERMS OF ASSISTANCE AND REGULATORY TERM**

### **A. Program Requirements**

Numerous Federal, State, and local regulations govern the NYS HOME Local Program. It is the responsibility of the applicant to ensure compliance with all applicable regulations and statutes. The contract term is 2 years from the date of execution by the HTFC.

The following is a listing, not all inclusive, of applicable regulations that apply to the NYS HOME Local Program. Applicants receiving awards will be expected to be familiar with and understand these governing regulations, and will be periodically monitored throughout the administration of an awarded program to ensure continual compliance with these and other rules and regulations.

### **B. HOME Maximum Purchase Price, After Rehab Value, Maximum Property Value Limits**

- i. The estimated value of the property after rehab cannot exceed the HOME Maximum Purchase Price/after Rehab Value limit as published annually by HUD for the local jurisdiction at the time of commitment, available at: <https://www.hudexchange.info/resource/2312/home-maximum-purchase-price-after-rehab-value/>.
- ii. Maximum Property Value: The LPA shall comply with 24 CFR 92.254; qualification as affordable housing and will use the HUD determined limits for existing single-family housing units.
- iii. The LPA will ensure that the value of the unit after housing rehabilitation does not exceed the median purchase price for the service area, as determined by the annually published HUD limits.

### **C. Weatherization Assistance**

- i. The NYS HOME Local program is partnering with the NYS HCR Weatherization Assistance Program (WAP) to provide weatherization assistance for all HOME beneficiaries receiving housing rehabilitation services that are income qualified at 50% or less of Area Median Income (AMI).

- ii. To the extent resources are available, WAP funds and construction services to perform weatherization activities will be made available to Homeowner Rehab assisted units through the HCR WAP provider located in the service area.
- iii. LPAs will partner with the WAP provider to ensure weatherization measures are incorporated into the scope of work for each income qualified HOME beneficiary. LPAs and WAPs will need to work together to develop the scope of work prior to the start of construction activities.
- iv. The WAP will provide the required Energy Audit for all units assisted with WAP funds.
- v. Priority should be given to senior citizens, families with children, and persons with disabilities. If a household contains a member who receives Supplemental Security Income (SSI), Public Assistance, Food Stamps, or Home Energy Assistance Program (HEAP) benefits, the household is automatically eligible for WAP.
- vi. NYS HOME Local and HCR WAP will assist LPAs to coordinate with providers in the service area to ensure weatherization assistance is included for all income eligible HOME units.

#### **D. National Environmental Policy Act (NEPA)**

- i. NYS HOME Local program assisted activities are subject to the provisions of the National Environmental Policy Act (NEPA). NEPA is applied in two stages. First, a programmatic environmental review (Tier 1 Review) is done to ensure the general program activities will not harm the environment. Second, a site specific environmental review (Tier 2 Review) must be done for each site/project selected for HOME assistance. This review is to ensure that the program activities to be undertaken at a specific site will not harm the environment.
- ii. For the Tier 2 Review, non-profits are required to submit the environmental checklist to the HCR EAU for approval. A Tire 2 clearance letter will be issued to the non-profit by the EAU.
- iii. Units of local government are responsible entities for environmental review and must send in the approved environmental checklist or letter stating they have conducted and approved the Tier 2 Review at the time of site/project set up.
- iv. Under no circumstances will the HTFC approve the release of funds for a project or activity where an approved environmental review was not conducted in advance, and in accordance with all applicable rules and regulations. More info is available on the HCR website at:  
<https://www.onecpd.info/resources/documents/HOME-EnvironmentalReview.pdf>

## **E. Lead Based Paint Regulations**

- i. The lead-based paint regulation defines work practices that must be followed when dealing with lead-based paint in older structures and expands requirements to protect occupants and workers from lead-based paint hazards until lead hazard reduction work is completed.
- ii. Lead hazard evaluation and reduction activities for rehabilitation projects are determined by the level of federal assistance received by the project and the per unit evaluation of hard costs. Interim controls are required for projects assisted with less than \$25,000 in Federal Funds. Projects assisted in excess of \$25,000 in Federal funds are subject to the completion of Part 3 of 24 CFR Part 35 Applicability Worksheet.
- iii. Applicants must comply with the lead-based paint requirements implemented at 24 CFR Part 35 if proposing activities involving residential properties purchased or rehabilitated in whole or part with HOME funds, excluding:
  - (1) Housing constructed on or after 1978;
  - (2) Housing reserved for the elderly or persons with disabilities through a deed restriction, unless a child under 6 resides or is expected to reside in the housing;
  - (3) Dwellings without bedrooms, i.e., efficiencies and military barracks;
  - (4) Foreclosure sales;
  - (5) Short-term leases of 100 days;
  - (6) Renewal of leases where all information has been disclosed previously and where lessor has acquired no new information ("renewal" is defined under the regulations to "include both re-negotiation of existing lease terms and/or ratification of a new lease"); or
  - (7) Housing which has been inspected and certified to be free of lead-based paint by a certified inspector.
- iv. Under no circumstances will the HTFC approve the release of funds for a project or activity where lead safe practices, where required, were not conducted in accordance with all applicable rules and regulations. (More information: <http://www.hud.gov/offices/cpd/library/monitoring/handbook.cfm#24>)

## **F. Davis Bacon Related Acts**

- i. Applicants preparing to undertake construction or rehabilitation activities on 12 or more units within the same construction contract must comply with the Federal Labor Standards requirements (Davis Bacon Related Acts) as outlined in 40 USC 276. This regulation requires that workers receive no less than the prevailing wages being paid for similar work in their locality. (More information: <https://www.onecpd.info/resources/documents/DavisBaconandHOMETrainingManual.pdf>)

## **G. Section 3 Requirements**

- i. All awards made under the HOME Program are subject to the requirements of Section 3 of the Housing Act of 1937, which specifies that to the greatest extent feasible, and consistent with existing federal, state and local laws and regulations, job training, employment, contracting and other economic opportunities be made available to low- and very low-income persons and locally owned enterprises within the proposed service area.
- ii. Recipients of HOME program funds in excess of \$200,000 must comply with the provisions set forth at 24 CFR Part 135. In addition, if an LPA enters into a rehabilitation or construction contract in excess of \$100,000, the contractor and its subcontractor are also subject to the provisions. Recipient agencies will be required to report Section 3 activity annually to HUD and HCR. LPAs will be required to report Section 3 activity annually to HUD and HTFC. (More information: <http://www.hud.gov/offices/ftheo> OR <http://www.nyshcr.org/Forms/FairHousing/>. Please see additional guidance on Section 3 requirements as referred to in the Administrative Plans.

## **H. Property Standards and HTFC Housing Rehabilitation Standards**

- i. Applicants requesting funds for the rehabilitation of vacant, partially or fully occupied residential properties must demonstrate that the proposed work will have the effect of correcting health and safety issues and NYS and/or Local Code violations.
- ii. All HOME-assisted properties (with the exception of Tenant based Rental assistance) must meet HTFC housing rehabilitation standards and NYS and/or Local code upon completion. (More information: [http://www.nyshcr.org/Funding/UnifiedFundingMaterials/2009/Rehab\\_Standards\\_HOME.htm](http://www.nyshcr.org/Funding/UnifiedFundingMaterials/2009/Rehab_Standards_HOME.htm))

- iii. NOTE: Under the 2013 HOME Final Rule, Uniform Physical Conditions Standards (UPCS) Property Standards apply for HOME funded housing rehabilitation; however, HUD has deferred the implementation of new property standard requirements. These new requirements are applicable to any project with a commitment after the effective date of the new requirements as may be announced by HUD.

**I. Accessibility: Reasonable Accommodations and Modifications**

- i. The LPA must work with any household with accessibility needs to address those needs as part of the scope of work and must be in compliance with the Fair Housing Act, Section 504, as applicable. Accommodations and modifications to address accessibility needs can and should be paid with HOME funds. Exceptions to per-unit assistance limits due to such modifications will be considered.

**J. Equal Employment and Minority and Women Owned Business Participation**

- i. LPAs are subject to the EEO requirements related to nondiscrimination and equal access. The LPA shall comply with the following, as applicable. Executive Orders 11246, 11625, 12432, and 12168 as amended require States receiving HOME funds to establish procedures for compliance with EEO and MWBE outreach. To comply with these Executive Orders, NYS HCR and the HTFC have elected to follow the State requirements under Article 15A of New York State Executive Law. This requires that all contractors and awardees make affirmative efforts to ensure that New York State Certified MWBE's are afforded opportunities for meaningful participation in projects funded by the HTFC pursuant to Section 313 of the Article. (More info: <http://www.nyshcr.org/AboutUs/MWBECorner.htm>).

For federal HOME Program reporting purposes, LPAs are also asked to report on all non-State certified MWBE's (that meet the federal definition of business enterprises that are 51% minority or women owned) that have been hired to provide services for the NYS HOME Local Program contract. Please see additional guidance on MWBE requirements as referred to in the Administrative Plans.

**K. Non-Discrimination**

- i. No person in the United States shall, on the grounds of race, color, national origin, religion, or sex be excluded, denied benefits, or subjected to discrimination under any program funded in whole or in part by NYS HOME Local Program funds. LPAs are subject to all federal and State fair housing and equal opportunity laws and orders, as referenced in 24 CFR Parts 92.350 and 92.351 to include: Title V of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.),
- ii. The Fair Housing Act (42 U.S.C. 3601-3620.), Equal Opportunity in Housing

(Executive Order 11063, as amended by Executive Order 12259), Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107). (More information: [http://www.nyshcr.org/AboutUs/Offices/FairHousing/.](http://www.nyshcr.org/AboutUs/Offices/FairHousing/)) Please see additional guidance on non-discrimination as referred to in the Administrative Plans.

#### **L. Uniform Relocation Assistance**

- i. The HOME Program is subject to an overall policy of minimizing displacement, and is subject to the Uniform Relocation Act and Section 104(d) of the Housing and Community Development Act of 1974, as amended.
- ii. The HTFC [HOME & CDBG Residential Anti-displacement & Relocation Assistance Plan](#), available on the HCR website, establishes the policy to minimize displacement as a result of an investment by the federal HOME and CDBG programs. LPAs awarded NYS HOME Local program funds must provide reasonable benefits and relocation assistance to any person involuntarily and permanently displaced as a result of the use of NYS HOME Local Program funds. Applicants must further document that any purchase of property meets the requirements of the URA, including provision of notices to the seller identifying the transaction as a voluntary sale not under the threat of eminent domain. (More information: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/library/relocation](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation)). Please see additional guidance on Relocation requirements as referred to in the Administrative Plans.

### **9) INSURANCE REQUIREMENTS**

- i. As a condition of the award of NYS HOME Local program funds, LPAs are required to obtain and maintain proper insurance and fidelity bonds. During the term of the contract, the LPA shall take all adequate measures to safeguard against the risk of liability for injuries or death of employees of the LPA, contractors and subcontractors, and any other persons.
- ii. The LPA shall provide HTFC with a certificate for comprehensive general liability coverage in a minimum amount of one million dollars (\$1,000,000) naming the HTFC and the State of New York as additional insured and fidelity bond/crime coverage in an amount not less than the largest anticipated disbursement request for program funds naming the HTFC as loss payee, together with certificates for automobile insurance (if applicable), fire insurance, workers' compensation and disability benefits. The LPA must also extend these insurance requirements to contractors hired under the contract.
- iii. All insurance certificates shall be with a New York State licensed carrier of insurance rated "A" or higher. At a minimum, copies of the following must be provided to the HTFC prior to the execution of any contracts:

- 1) A Certificate of General Liability Insurance
  - 2) Workers' Compensation and Disability Insurance
  - 3) Fire and Casualty Insurance
  - 4) A Fidelity Bond in the amount of the largest anticipated disbursement
- iv. The Housing Trust Fund Corporation (HTFC) must be named as loss payee in accordance with the program agreement requirements.

## **10) APPLICATION REFERENCE MATERIALS**

- i. This RFP provides only a portion of the information and materials needed by applicants. Other materials are available from the HCR website, <http://www.nyshcr.org/Funding/> and may include the following:
- 1) **FFY 2016-2017 HOME Local Program CDOL Application Instructions**
  - 2) **NYS HOME Local Program Budget Policy**
  - 3) **NYS HOME Local Program Budget Worksheet**
  - 4) **HTFC Housing Rehabilitation Standards (rev. June 2006).**
  - 5) **2016 NYS HOME Local Program Reference Manual**
  - 6) **Other related documents as posted on the HCR HOME program website**
- ii. The HTFC reserves the right to award all, a portion of, or none of an applicant's requested funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, an applicant's ability to meet HTFC criteria for funding, and an applicant's ability to advance the State's housing goals. The HTFC also reserves the right to change or disallow aspects of the applications received and may make such modifications an expressed condition of its commitment to provide funding to a program.

## **11) APPLICATION SUBMISSION DEADLINES**

**RFP Open Date: Friday, October 28, 2016**

**RFP Close Date: Friday, December 16, 2016**

Applications for federal fiscal year 2016 and 2017 NYS HOME Local Program funds must be submitted through HCR's CDOL online system no later than 4:00 PM, EST, on Friday, December 16, 2016. All applications received after this deadline will be considered a late submission and will not be processed or considered for funding.

- i. The NYS HOME Local Program application for funds available through this NOFA and corresponding RFP will be available on the NYS Homes and Community Renewal website, [www.nyshcr.org/Funding/](http://www.nyshcr.org/Funding/), on Friday, October 28, 2016

Applications are due no later than 4:00 PM (EST) on Friday, December 16, 2016. Applications must be submitted using the Community Development Online Application System (CDOL) at: <http://www.nyshcr.org/Apps/CDOnline/>.

- ii. The above-stated application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, applications received after the specified date and time will be deemed ineligible and will not be considered for funding. Applicants should make early submission of their applications to avoid risks of ineligibility resulting from unanticipated delays or other delivery-related problems. Applicants may make a request, based on demonstrated need, to submit a paper application in lieu of using the CDOL application system. Requests for approval to submit a paper application must be received by the OCR no later than Thursday, November 10, 2016, at the following address: NYS Homes and Community Renewal, Office of Community Renewal, Hampton Plaza, 4th Floor South, 38-40 State Street, Albany, NY 12207, ATTN: FFY 2016 and 2017 NYS HOME Local Program.
- iii. For those applicants with prior approval to submit a paper application, applications will be accepted only at the address stated above. Paper applications received or postmarked after 4:00 PM, EST, on Friday, December 16, 2016 will be considered late and will not be accepted or reviewed. Use of delivery confirmation services is required by those pre-approved to submit paper applications to ensure an on time and traceable delivery.

## **12) CHANGE IN REGULATORY REQUIREMENTS**

- i. Applicants should anticipate that certain regulatory requirements and administrative guidance will change or be clarified during the anticipated term of awards under this RFP such as: HUD has deferred the implementation of new property standard requirements for the HOME Program. These new requirements are applicable to any project with a commitment after the effective date of the new requirements as may be announced by HUD.

## **13) SMART GROWTH**

- i. Please note that the Housing Trust Fund Corporation is subject to the New York State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010) and must, to the extent applicable, make funding decisions consistent with the provisions of the Act.

## **14) TECHNICAL ASSISTANCE**

- i. LPAs may request technical assistance from the OCR during the application process. LPAs must review the RFP and CDOL Application Instructions prior to beginning the application process. The instructions provide detailed guidance for

completing the application as well as troubleshooting issues with the CDOL system. Questions regarding this RFP may be directed via email to [OCRinfo@nyshcr.org](mailto:OCRinfo@nyshcr.org).

- ii. At the completion of this funding round, LPAs not receiving an award may participate in an exit conference to review general reasons as to why applications were not funded.

## **15) ADMINISTRATIVE PLANS**

- i. The OCR has developed NYS HOME Local Program Administrative Plans (Plans), based on eligible activities, that are in compliance with federal and State HOME regulations and policies.
- ii. There are 6 Plans available on the HCR HOME Program website and are based on HOME eligible activities currently being funded by the HTFC. The Plans describe the policies and procedures that must be followed by LPAs in the administration of a NYS HOME Local Program (HOME Local) funded program or project.
- iii. The Plans contains both Federal HOME Program and NY State HOME Local Program requirements.
- iv. Inserted throughout the Plans are questions that LPAs must answer regarding various aspects of program design and administration.
- v. LPAs insert responses to the questions in the sections in italics annotated with “Q” bullets. The length of responses to the questions are limited to the maximum number of characters, as listed in the text box below the question.
- vi. HTFC approval of the responses submitted in the Plans is required prior to execution of a contract for a HOME Local award. Changes to the Plans are subject to prior approval by HTFC.
- vii. Policies and procedures contained in the Plans must be followed and will be enforceable along with all aspects of the contract and Federal HOME Investment Partnership Program regulations at 24 CFR Part 92.
- viii. If awarded NYS HOME Local Program funds, these plans must be followed in the administration of the proposed activity. Applicants no longer have to write an administrative plan, but are required to answer questions, as inserted in the Plans, regarding the administration of the proposed program.
- ix. Answers to the questions will be a scored factor in this application. If awarded funds, these Plans and the responses to the questions will become the administrative plan for the awarded program.

x. **The 6 Plans listed below are included in this application:**

1. Homeowner Housing Rehabilitation With or Without Rental Units:
2. Manufactured Housing Replacement
3. Homebuyer Purchase Assistance With or Without Housing Rehabilitation
4. Homebuyer Development Projects
5. Rental Rehabilitation
6. Tenant based Rental Assistance (TBRA)

**17) CHDO APPLICANTS**

- i. For CHDO set-aside funds, the applicant organization must be a NYS designated Community Housing Development Organization (CHDO) prior to commitment of funds by the HTFC. Federal HOME Program regulations require CHDO Certification to be done at the time of each awarded project's commitment (contract execution). The HTFC will certify CHDO's during this RFP application and award process.
- ii. CHDO's must complete additional documents related to the Application for CHDO Certification to include a CHDO Feasibility Review. CHDO's must respond to specific underwriting and program/project feasibility questions about the proposed project.
- iii. The CHDO must be the owner and developer of the housing during the construction period, must arrange for all project financing and be in sole charge of the construction.
- iv. CHDO projects have additional underwriting requirements.
- v. **CHDO Site Control:** CHDOs must have purchase options for site control at application and, if awarded funds, obtain full site control within 60 days of the execution of the contract with the HTFC.
- vi. With HTFC approval, CHDOs may use HOME Local funds as construction financing (to pay for hard and soft costs of construction) during construction, rather than using it solely as permanent financing to be paid out at the sale of the unit. This option and the proposed draw schedule must be approved by the HTFC prior to contract execution.

- vii. With HTFC approval, CHDOs may be able to keep project proceeds from housing development projects to be used for affordable housing activities.
- viii. Developer Fee: CHDOs may receive up to 18% of the total award as a developer fee to produce and sell the units. The developer fee may be invoiced to the HTFC during construction on a per unit basis based on the below 4 draw requirements:
  - 1) At the start of construction – 25%
  - 2) During construction: 25%
  - 3) Upon executed purchase contract with the homebuyer: 25%
  - 4) At completion and upon final close out of the unit in IDIS: 25%

The specific documents applicable to this RFP are listed in the CDOL Application Instructions and are available on the HCR HOME Program website at [www.nyshcr.org/Funding/](http://www.nyshcr.org/Funding/)

Please send an e-mail to [OCRinfo@nyshcr.org](mailto:OCRinfo@nyshcr.org) to request more information or to receive technical assistance regarding the CHDO Certification process.

## 18) **RATING CRITERIA**

Each HOME Program application that is determined to be eligible will be scored on a 100-point scale, based on the criteria listed below.

### **A. Homeowner Housing Rehabilitation With or Without Rental Units**

- i. **Average income level served (10 Points)** - Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.
- ii. **Persons with special needs targeted (5 points)** – Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2016 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online at <http://www.nyshcr.org/Funding/>. If the program elects to serve a special needs population, the LPA must have an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served. The provider agreement/MOU must directly refer applicants to the HOME assisted program. Applicants proposing a high percentage of the overall program assistance for the targeted groups,

without evidence of a service contract or written agreement, will receive no points. Applicants not proposing assistance for the targeted groups will not receive points.

- iii. **Percent below federal poverty level in program service area (5 points)** – Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications will receive the least points.
- iv. **Number of persons below federal poverty level in program service area (5 points)** – Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.
- v. **Age of Housing (5 Points)** – Need for owner-occupied and owner occupied rental housing rehabilitation programs is evaluated in part based on the age of housing in the service area. Housing rehabilitation programs in areas with the highest percentage of housing units built before 1960, compared to other applications received, will receive the most points. Applications that do not include the source of data will not receive points.
- vi. **Leveraging (20 points)** – Measures the ratio of NYS HOME Local program funds as part of the total project cost. Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- vii. **Administrative Plan Questions: Program Design and Capacity (35 points)** – Answers to the questions, as inserted in the administrative plan based on the activity, will be reviewed to assess the in-house processes for compliance and the readiness and capacity of the applicant. All responses must be answered in the text box provided and are limited to the number of characters listed in the text box. Applicants must carefully review the questions and respond based on the information provided in the applicable administrative plan. Unanswered questions or deficiencies in the response will receive fewer points or no points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program’s overall design.
- viii. **Experience and prior performance (15 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

- (1) Applicants who have received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews.
- (2) Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.
- (3) Applicants who have not administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other similar in size and scope housing rehabilitation programs.
- (4) Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.

## **B. Manufactured Housing Replacement**

- i. **Average income level served (10 Points)** - Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.
- ii. **Persons with special needs targeted (5 points)** – Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2016 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online at <http://www.nyshcr.org/Funding/>. If the program elects to serve a special needs population, the LPA must have an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served. The provider agreement/MOU must directly refer applicants to the HOME assisted program. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written agreement, will receive no points. Applicants not proposing assistance for the targeted groups will not receive points.
- iii. **Percent below federal poverty level in program service area (5 points)** – Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level

compared to service areas of other applications will receive the least points.

- iv. **Number of persons below federal poverty level in program service area (5 points)** – Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.
- v. **Age of Housing (5 Points)** – Need for manufactured home replacement programs is evaluated in part based on the age of housing in the service area. Manufactured homes in areas with the highest percentage of housing units built before 1960, compared to other applications received, will receive the most points. Applications that do not include the source of data will not receive points.
- vi. **Leveraging (20 points)** – Measures the ratio of NYS HOME Local program funds as part of the total project cost. Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- vii. **Administrative Plan Questions: Program Design and Capacity (35 points)** – Answers to the questions, as inserted in the administrative plan based on the activity, will be reviewed to assess the in-house processes for compliance and the readiness and capacity of the applicant. All responses must be answered in the text box provided and are limited to the number of characters listed in the text box.  
Applicants must carefully review the questions and respond based on the information provided in the applicable administrative plan. Unanswered questions or deficiencies in the response will receive fewer points or no points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program’s overall design.
- viii. **Experience and prior performance (15 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.
  - (1) Applicants who have received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews.
  - (2) Applications submitted by current awardees with open contracts without

substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.

- (3) Applicants who have not administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other similar in size and scope housing rehabilitation programs.
- (4) Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.

## **B. Homebuyer Assistance With or Without Housing Rehabilitation**

- i. **Average income level served (5 points)** – Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.
- ii. **Persons with special needs targeted (5 points)** – Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2016 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online at <http://www.nyshcr.org/Funding/>. If the program elects to serve a special needs population, the LPA must have an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served. The provider agreement/MOU must directly refer applicants to the HOME assisted program. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written agreement, will receive no points. Applicants not proposing assistance for the targeted groups will not receive points.
- iii. **Percent below federal poverty level in program service area (5 points)** – Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications, will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications, will receive the least points.
- iv. **Number of persons below federal poverty level in program service area (5 points)** -Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the

most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.

- v. **Homeownership Rate in the Program Service Area (5 points)** – Need for homebuyer programs is evaluated in part based on the rate of home ownership in the service area and the relative affordability of for-sale housing in the service area. Programs in areas with the lowest percentage of owner-occupied units, compared with other applications received, will receive the most points. The relationship between the costs of home ownership relative to income as compared to other applications will also be considered. Applications that do not include the source of data will not receive points.
- vi. **Homeownership Affordability Index (5 points)** – The home buyer affordability index is based on median incomes and median sales prices across the state. Programs in areas where homeownership is more expensive relative to incomes, as compared with other applications, will receive the most points.
- vii. **Leveraging (20 points)** - Measures the ratio of NYS HOME Local Program funds as part of the total project cost. Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- viii. **Administrative Plan Questions: Program Design and Capacity (35 Points)** – Answers to the questions, as inserted in the administrative plan based on the activity, will be reviewed to assess the in-house processes for compliance and the readiness and capacity of the applicant. All responses must be answered in the text box provided and are limited to the number of characters listed in the text box. Applicants must carefully review the questions and respond based on the information provide in the applicable administrative plan. Unanswered questions or deficiencies in the response will receive fewer points or no points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program’s overall design.
- ix. **Experience and prior performance (15 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.
  - (1) Applicants who have received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews.

- (2) Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.
- (3) Applicants who have not administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other similar in size and scope homebuyer programs.
- (4) Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.

**D. Homebuyer Development Projects (CHDO & LPA)**

- i. **Average Income Level Served (5 points)** – Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.
- ii. **Persons With Special Needs Targeted (5 points)** - Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2016 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online at <http://www.nyshcr.org/Funding/>. If the program elects to serve a special needs population, the LPA must have an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served. The provider agreement/MOU must directly refer applicants to the HOME assisted program. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written agreement, will receive no points. Applicants not proposing assistance for the targeted groups will not receive points.
- iii. **Percent below federal poverty level in the program service area (5 points)** - Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications, will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications, will receive the least points.
- iv. **Number of Persons below federal poverty level in program service area (5 points)** – Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the

most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.

- v. **Homeownership Rates in the Program Service Area (5 Points)** - Need for home ownership programs is evaluated in part based on the rate of home ownership in the service area and the relative affordability of for-sale housing in the service area. Programs in areas with the lowest percentage of owner-occupied units, compared with other applications received, will receive the most points. The relationship between the costs of home ownership relative to income as compared to other applications will also be considered. Applications that do not include the source of data will not receive points.
- vi. **Homeownership Affordability Index (5 points)** – The home buyer affordability index is based on median incomes and median sales prices across the state. Programs in areas where home ownership is more expensive relative to incomes, as compared with other applications, will receive the most points.
- vii. **Leveraging (15 points)** - Measures the ratio of NYS HOME Local Program funds as part of the total project cost. Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- viii. **Administrative Plan Questions: Program Design and Capacity (25 Points)** – Answers to the questions, as inserted in the administrative plan based on the activity, will be reviewed to assess the in-house processes for compliance and the readiness and capacity of the applicant. All responses must be answered in the text box provided and are limited to the number of characters listed in the text box. Applicants must carefully review the questions and respond based on the information provided in the applicable administrative plan. Unanswered questions or deficiencies in the response will receive fewer points or no points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program’s overall design.
- ix. **Experience and prior performance (10 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.
  - (1) Applicants who have received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews.

- (2) Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.
  - (3) Applicants who have not administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other similar in size and scope homebuyer programs.
  - (4) Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.
- x. **Green Building Practices and Energy Efficiency (20 points)** - CHDOs and LPA housing developers proposing to use HOME funds for new construction or substantial housing rehabilitation activities will receive points based on the extent to which the program will incorporate green building practices and energy efficiency measures for the HOME assisted unit. Additional points will be awarded for new construction projects that agree to certify the homes in a green building rating system such as LEED for Homes or Enterprise Green Communities Criteria.

#### **E. Rental Rehabilitation Program**

- ix. **Average income level served (5 Points)** - Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.
- x. **Persons with special needs targeted (5 points)** – Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2016 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online at <http://www.nyshcr.org/Funding/>. If the program elects to serve a special needs population, the LPA must have an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served. The provider agreement/MOU must directly refer applicants to the HOME assisted program. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written agreement, will receive no points. Applicants not proposing assistance for the targeted groups will not receive points.

- xi. **Percent below federal poverty level in program service area (5 points)** – Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications will receive the least points.
- xii. **Number of persons below federal poverty level in program service area (5 points)** – Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.
- xiii. **Age of Housing (5 Points)** – Need for owner-occupied and owner occupied rental housing rehabilitation programs is evaluated in part based on the age of housing in the service area. Housing rehabilitation programs in areas with the highest percentage of housing units built before 1960, compared to other applications received, will receive the most points. Applications that do not include the source of data will not receive points.
- xiv. **Leveraging (20 points)** – Measures the ratio of NYS HOME Local program funds as part of the total project cost. Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- xv. **Administrative Plan Questions: Program Design and Capacity (35 points)** – Answers to the questions, as inserted in the administrative plan based on the activity, will be reviewed to assess the in-house processes for compliance and the readiness and capacity of the applicant. All responses must be answered in the text box provided and are limited to the number of characters listed in the text box. Applicants must carefully review the questions and respond based on the information provided in the applicable administrative plan. Unanswered questions or deficiencies in the response will receive fewer points or no points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program’s overall design.
- xvi. **Experience and prior performance (15 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.
  - (1) Applicants who have received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including

commitments and expenditures to date, and compliance documented by monitoring reviews.

- (2) Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.
  - (3) Applicants who have not administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other similar in size and scope housing rehabilitation programs.
  - (4) Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.
- i. **Tenant Rent Burden (5 Points)** – The need for tenant-based rental assistance programs is evaluated based on the number of renter households in the service area that are rent-burdened. Programs in areas with the highest number of households paying more than 30% income for rent will receive the most points.
  - ii. **Affordability index (5 points)** – Area affordability is evaluated based the percentage of area income needed to afford a two bedroom apartment in the proposed service areas.

Programs in areas requiring the highest percentage of household income to afford a two bedroom apartment will receive the highest scores.

## **F. TBRA Applications**

- i. **Average income level served (15 Points)** - Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.
- ii. **Persons with special needs targeted (15 Points)** – Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2016 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online at <http://www.nyshcr.org/Funding/>. If the program elects to serve a special needs population, the LPA must have an executed provider agreement or Memorandum of Understanding (MOU) with a service provider that directly works with the special need population to be served. The provider agreement/MOU must directly refer applicants to the HOME assisted program. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written agreement, will receive no points.

Applicants not proposing assistance for the targeted groups will not receive points.

- iii. **Percent below federal poverty level in program service area (5 points)** - Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications, will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications, will receive the least points.
- iv. **Number of persons below federal poverty level in program service area (5 points)** – Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.
- v. **Tenant Rent Burden (5 Points)** – The need for tenant-based rental assistance programs is evaluated based on the number of renter households in the service area that are rent-burdened. Programs in areas with the highest number of households paying more than 30% income for rent will receive the most points.
- vi. **Affordability index (5 points)** – Area affordability is evaluated based the percentage of area income needed to afford a two bedroom apartment in the proposed service areas.  
  
Programs in areas requiring the highest percentage of household income to afford a two bedroom apartment will receive the highest scores.
- vii. **Administrative Plan Questions: Program Design and Capacity (35 Points)** – Answers to the questions, as inserted in the administrative plan based on the activity, will be reviewed to assess the in-house processes for compliance and the readiness and capacity of the applicant. All responses must be answered in the text box provided and are limited to the number of characters listed in the text box. Applicants must carefully review the questions and respond based on the information provided in the applicable administrative plan. Unanswered questions or deficiencies in the response will receive fewer points or no points. Responses that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program’s overall design.
- viii. **Experience and prior performance (15 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

- (1) Applicants who have received and administered a NYS HOME

Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews.

- (2) Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.
- (3) Applicants who have not administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other similar in size and scope TBRA programs.
- (4) Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.

#### **18) NEW YORK STATE GRANTS GATEWAY PREQUALIFICATION**

- i. The New York State Grants Gateway (“Grants Gateway”) is a statewide effort that will improve the way New York State administers grants by simplifying and streamlining the grants management process.
- ii. Effective August 1, 2013, not-for-profit organizations must be prequalified in order to do business with New York State. In order to prequalify, not-for-profit organizations must submit an online Prequalification Application through the Grants Gateway. The Prequalification Application is comprised of five components to gauge your organizational structure and the types of services you provide. The required forms and document uploads are all part of the Grants Gateway Document Vault. Resources to complete the application and associated document vault can be found in the Quick Links Section of the Grants Gateway page at <http://grantsreform.ny.gov/>.
- iii. Prequalification is designed as a way for not-for-profits to interact more directly with State agencies before they compete for State contracts, enabling them to make adjustments and answer concerns prior to entering a competitive bid process. Once they have been prequalified, multiple State agencies will have ready access to the prequalification materials, eliminating redundant submissions of such information by the vendor. Not-for-profits will only have to formally prequalify every 3 years, with the responsibility to keep their information current throughout the 3 year period.

***Please note:*** Applicants that are not prequalified through the New York State Grants

*Gateway by the NYS HOME Local Program application deadline of 4:00pm (EST), Friday, December 16, 2016 will not be eligible to receive NYS HOME Local program funds, and any applications submitted to the OCR will be deemed ineligible for review and consideration.*

## 19) **APPLICATION PROCESSING STEPS**

- i. **Application Receipt** - Once the application are submitted through CDOL, or pre-approved paper applications are received, an identification number is assigned and the application is made available for review by the appropriate OCR program staff.
  
- ii. **Threshold Eligibility Review** - Applications are reviewed according to threshold statutory eligibility criteria summarized below. **Applications that fail to meet all of the statutory criteria will not be reviewed further and will be deemed ineligible:**
  - (1) Will the program assist only residential properties that will be owner-occupied and/or renter-occupied at project completion?
  - (2) Has the application demonstrated a local market need for the residential housing activity being proposed?
  - (3) Is the applicant applying for one of the listed eligible activities in this RFP?
  - (4) Do the activities proposed benefit households at or below 80% of area median income?
  - (5) If rental housing, are at least 90% of the rental units to be assisted serving households making less than 60% of area median income?
  - (6) Does the applicant have outstanding past performance, compliance, monitoring and/or audit issues with the OCR?
  
- iii. **Rating and Ranking** - Each application is scored on criteria derived from the statutory, regulatory and policy considerations of the HOME Program. Application ratings are based only on the application materials received by the submission deadlines.

## 20) **243FUNDING RECOMMENDATIONS**

- i. New York State distributes HOME Program funds in the following manner:
  - (1) Fifteen percent (15%) of each federal annual allocation is reserved

for Community Housing Development Organizations (CHDOs).

(2) All remaining funds are distributed on a statewide basis, with the majority of funds being awarded in non-HOME Participating Jurisdictions.

ii. The State anticipates that some HOME funds may be used for eligible activities that are located in HOME participating jurisdictions. Preference will be given to projects in which the participating jurisdiction collaborates directly with a non-profit affordable housing provider applying for NYS HOME Local program funds to deliver affordable housing units. The State will assist the participating jurisdiction and non-profit to ensure coordination of effort and appropriate subsidy layering. The project must decrease the typical amount of State HOME funds needed to complete the project and increase the amount of funds leveraged by the non-State HOME participating jurisdiction.

**21) HTFC BOARD APPROVAL**

Awards must be approved by the HTFC Board of Directors prior to contract execution.

**22) APPLICATION OUTCOME E-MAIL**

The e-mail will be sent to the contact as listed in the applications to inform the applicant of the status of its application:

- (1) Selected for Funding
- (2) Not Selected for Funding
- (3) Ineligible for Funding

**23) CONTRACT REVISIONS AND EXECUTION**

HOME applicants selected for funding may be asked to revise parts of their proposal or administrative plan prior to or in conjunction with the issuance of a contract, however, the HTFC will not execute the contract or process disbursement requests until all required environmental reviews are completed.

Prior to the start of any activity, applicants are reminded that all units must receive site specific (Tier 2) environmental approval. The HTFC expects to enter into a contract within 45 days of the applicant's compliance with submission requirements, including the required programmatic environmental review approvals.

Applicants are expected to be ready to fully execute and undertake activities in this timeframe; failure to do so may result in the rescission or termination of an award.

**It is expected that all awarded LPAs will have a fully executed contract by June 30, 2017.**

**24) REQUIRED IMPLEMENTATION MEETING**

Applicants will be required to participate in an orientation meeting to discuss the overall grant administration and program requirements to ensure successful implementation and completion. Topics generally include, but are not limited to: program administration, financial management, statutory, reporting, monitoring requirements and regulatory compliance.