



*"The Capital City of the Palm Beaches"*

**PROCUREMENT DIVISION**

401 Clematis Street, 5<sup>th</sup> Floor

West Palm Beach, FL 33401

Tel: 561-822-2100

Fax: 561-822-1564

**Request For Proposal**

**RFP 10-11-135**

**MULTI-FAMILY RENTAL HOUSING (RI)**

(New Construction or Rehabilitation)

The City of West Palm Beach is currently seeking to utilize a portion of its federal and local funds to provide assistance to organizations that construct or rehabilitate affordable multi-family rental housing in the City of West Palm Beach. The City anticipates \$500,000 in HOME Investment Partnerships Program funds to be available for multi-family construction projects that are ready to proceed immediately.

Time is of the essence and any proposal received after **3:00 p.m., EST, Monday, September 19, 2011**, will be returned unopened. Proposals shall be placed in a sealed envelope, marked in the lower left-hand corner with the RFP number, title, and date and hour proposals are scheduled to be received. Respondents are responsible for insuring that their proposal is stamped by Procurement Division personnel by the deadline indicated.

In accordance with Sec. 66-63 of the City Code of Ordinances, **PROPOSALS NOT RECEIVED BY THAT TIME WILL BE REFUSED. The time of receipt shall be determined by the time clock located in the office of the Procurement Division. Respondents are responsible for ensuring that their proposal is clocked as received by the deadline indicated.** The City shall in no way be responsible for delays caused by a delivery service or any other occurrence, and such proposals will not be accepted. Offers received by telephone, telegram or facsimile will not be accepted, unless specifically requested in the solicitation documents to do so.

A Respondent shall submit **one (1) original, five (5) copies and one (1) electronic copy (on CD-ROM, in MS Word or searchable PDF)** of the proposal to the Procurement Division, at the time and date specified in the legal notice to and proposals must be delivered or mailed to:

All proposals must be delivered or mailed to:

City of West Palm Beach  
Procurement Division  
401 Clematis Street, 5<sup>th</sup> Floor  
West Palm Beach, FL 33401

**ENVELOPE(s) MUST BE IDENTIFIED AS RFP 10-11-135**

BY: Althea Pemsel

**PUBLISH:** Palm Beach Post

**DATE:** 4 SEP 2011

## Introduction

The City of West Palm Beach Housing and Community Development Department (HCD) is currently seeking to utilize a portion of its federal and local funds to provide assistance to organizations that construct or rehabilitate affordable multifamily rental housing in the City of West Palm Beach. The City anticipates \$500,000 in HOME Investment Partnerships Program funds will be available for multi-family construction projects that are ready to proceed immediately.

The proposed developments shall provide long-term, affordable housing to low and very low income households. By submitting the attached application, the Applicant acknowledges their understanding of and agrees to adhere to all federal, state, and local requirements associated with these funds, including the HOME Investment Partnerships Program.

The HCD invites eligible non-profit and for-profit organizations to submit proposals for the acquisition, construction, and/or rehabilitation of multi-family rental housing.

## Eligible Applicants

Eligible applicants include non-profit and for-profit organizations that have been operating in good standing with the State of Florida for a minimum of two (2) years. Any party on the Excluded Parties List System (<https://www.epls.gov/>) is considered ineligible for funding.

## Eligible Activities

For purposes of this Request for Proposal (RFP), one (1) or more of the following eligible activities that result in the provision of multi-family rental housing is eligible:

1. Purchase and Construction/Rehabilitation; and
2. Redevelop Demolished or Vacant Properties.

The City will allow and pay for development fees that are fair and reasonable as part of the acquisition and construction/rehabilitation process.

## Available Funds

HCD is seeking proposals from eligible entities to utilize approximately **\$500,000** in federal funding.

## Service Area

All housing units must be located within the city limits of West Palm Beach.

## Affordability Period and Loan Terms

### AFFORDABILITY PERIODS

Activity	County Subsidy	Unit Must Remain Affordable For:
Rehabilitation or Acquisition of existing housing	Less than \$15,000/unit	5 years
	\$15,000-\$40,000/unit	10 years
	Greater than \$40,000	15 years
Rehabilitation with refinancing	Any amount	15 years

**City of West Palm Beach Housing and Community Development Department  
HOME Investment Partnership Program – Multi-Family RFP**

New Construction or Acquisition of New Housing	Any amount	20 years
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The City of West Palm Beach will ensure long term affordability through the use of a Land Use Restriction Agreement (LURA) that will be recorded against the property. If an owner who has been assisted through this program transfers title to the property before the affordability period expires, the assistance provided by the City will be subject to recapture. The City will annually monitor the multi-family rental developments assisted with funds during the affordability period to ensure that the specified units are affordable, made available to income eligible tenants, and that the property(s) continue to meet minimum housing quality standards.

In addition, all properties receiving funding will be secured by a recorded mortgage on the property, in favor of the City. Permanent loans shall be for up to 40 years and are non-recourse debt secured by a mortgage and note. In general, construction loans shall not exceed 24 months (from issuance of the notice to proceed to certificate of occupancy).

If the loan is deferred payment, it will generally be non-amortizing. However; based on the financing requirements of a particular project, HCD may charge and accrue interest on deferred payment loans or amortizing loans. Repayment on deferred payment loans is made from available surplus cash, if any. In general, repayment will be required on an annual basis as a project is reviewed for regulatory compliance and it is determined through the project financial statements or audits that the project has produced surplus cash. This repayment will be based on a percent of the annual surplus cash (typically 25-50%) and will reduce the loan by the amount of accumulated payments resulting from surplus cash. Repayments will be applied first to accrued interest, if any.

**Rent and Occupancy Requirements**

The City shall distinguish between the units in a project that have been assisted with HOME funds and those that have not. A project may consist of units with various sizes, characteristics, and amenities, some of which may be City-assisted, while others are not. City-assisted units refers to the units within a project for which rent, occupancy and/or resale restrictions apply. The number of units designated as City-assisted will affect the maximum subsidies that may be provided to a project.

Every City-assisted rental unit is subject to rent limits designed to help make rents affordable to low-income households. These maximum rents are referred to as “Low-HOME rents.” HUD publishes the rent schedule each year based on changes in area income levels or market conditions. Low HOME Rents must have rents which are no greater than 30 percent of the annual income of a family whose income equals 50 percent of the median income. The current rent limits based upon this definition is provided below.

**CURRENT LOW-HOME RENT LIMITS (as of 6/2011)**

	Efficiency	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Max Rent	\$666	\$713	\$856	\$989	\$1,103	\$1,218	\$1,331

The maximum allowable rents must be reduced if the tenant pays for any utilities, with the exception of telephone. Utility allowances provide a mechanism for reducing the maximum allowable rents when some or all utilities are paid by the tenant. Information on utility allowances will be provided upon request.

For properties with both assisted and non-assisted units, there must be a designation of “fixed” or “floating” units. Fixed units are the specific units that are City-assisted that are designated at the time of project commitment. These units never change and are subject to rent limits and occupancy standards. Floating units are units that are City-assisted, but may change over time. The total number of City-assisted units remains constant over time, and all floating units are subject to rent limits and occupancy standards.

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## Income Eligibility Standards

All HOME funded rental units must be made available exclusively to individuals or families whose incomes do not exceed 50 percent of the area median income. Household income limit information is updated annually by HUD.

### HOUSEHOLD INCOME LIMITS - 50% of Area Median Income (as of 6/2011)

	1 Person	2 People	3 People	4 People	5 People	6 People	7 People
50% AMI	\$26,650	\$30,450	\$34,250	\$38,050	\$41,100	\$44,150	\$47,200

## Other Requirements:

### *Affirmative Marketing*

Any entity applying for funds for development activities that will result in five (5) or more City assisted units must adopt an affirmative marketing plan including affirmative marketing procedures and requirements. Affirmative marketing requirements and procedures must include:

1. Methods for informing the public, owners and potential tenants about fair housing laws and the City of West Palm Beach's policies;
2. A description of what owners and/or the property managers will do to affirmatively market housing assisted with HOME Program funds;
3. A description of what owners and/or the property managers will do to inform persons not likely to apply for housing without special outreach;
4. Maintenance of records to document actions taken to affirmatively market HOME-assisted units and to assess marketing effectiveness; and
5. A description of how efforts will be assessed and what corrective actions will be taken when requirements are not met.

### *Minority and Women's Business Enterprises*

The requirements of Executive Orders 11625, 12432, 12138 and 24 CFR 85.36(e) apply to grants under this part. Consistent with HUD's responsibilities under these Orders, the Applicant must make efforts to encourage the use of minority and women's business enterprises in connection with funded activities. MBE reporting on contractor activity is required to be submitted to HCD quarterly.

### *Section 3*

Section 3 of the Housing Development Act of 1968 will apply as amended (12 U.S.C. 1701U), relative to the hiring and training of low- and moderate-income persons and the use of local Section 3 certified businesses. The purpose of Section 3 is to ensure that the employment and other economic opportunities generated as a result of U.S. HUD assistance or by a U.S. HUD-assisted project 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 U.S. HUD housing assistance.

### *Labor Standards*

Labor standards requirements apply to any construction, rehabilitation, alteration, or repair, including painting, flooring, and decoration, in an amount of \$2,000 or more, or eight (8) units or more, any part of which is federal money. These standards include:

1. Paying workers the prevailing federal wages and fringe benefits effective at the time the job is contracted must be paid. (This information is provided by HUD through HCD).

2. Paying workers weekly and submitting certified payrolls weekly in the prescribed format. The payrolls must include details of each worker's job classification, hours worked, and wages and benefits paid. Certified payrolls must be reviewed as soon as they are received and compared to the appropriate federal wage decision. Any discrepancies must be resolved immediately.
3. Workers must be interviewed on the job site regarding appropriate job classification and wages and benefits received. Employee interviews must be compared to the appropriate federal wage decision. Any discrepancies must be resolved immediately.
4. Contractor and successful bidder must maintain all records for a minimum of five (5) years of the completion of the project.

Contractors and subcontractors must comply with Federal laws and regulations regarding labor standards and the HUD Handbook 1344.1 (Federal Labor Standard Compliance in Housing and Community Development Programs) as applicable to the project.

The prevailing wage provisions do not apply to volunteers who receive no compensation and are not otherwise employed at any time in the construction work. The provisions also do not apply to members of a family providing labor in exchange for acquisition of a property for homeownership or in lieu of, or as a supplement to, rent payments. For more information about labor standards, see 24 CFR 570.603. HCD will have a Davis Bacon Wage Consultant to assist in processing and reporting Davis Bacon activities.

#### ***Environmental Review***

The environmental effects of each HOME funded activity must be assessed in accordance with the provisions of the National Environmental Policy Act of 1969 (NEPA) and related authorities listed in HUD's implementing regulations at 24 CFR Parts 50 and 58. This review is completed by the City of West Palm Beach's Housing and Community Development Department. **No activity may commence until the environmental review has been completed and the Finding of No Significant Impact has been received and approved by HUD.**

#### ***Flood Insurance***

Under the Flood Disaster Protection Act of 1973 (U.S.C. 4001-4128), HOME funds may not be used with respect to the acquisition, new construction, or rehabilitation of a project located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, unless flood insurance is obtained as a condition of approval or commitment. Flood insurance will be required to be maintained on the property for the term of the mortgage and note.

#### ***Accessibility***

In addition to the Fair Housing Act, HUD has enforcement obligations under the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), which provide additional protections to persons with disabilities. Together, these federal laws require housing providers, state and local governments, and all recipients of federal financial assistance to ensure accessibility for persons with disabilities. Public facilities and buildings, as well as all projects receiving federal financial assistance, must be designed, constructed and altered to be fully accessible to people with mobility and sensory impairments.

The Fair Housing Act applies to both public and private housing. Under the Fair Housing Act, new multifamily buildings must be designed and constructed to have fully accessible common areas. These buildings must also incorporate basic adaptive features in ground floor and elevator-accessible dwelling units to allow for use by people with disabilities. In addition to these requirements, when housing is created using federal funding, at least five (5) percent of a project's dwellings must be fully accessible to people with mobility impairments, and an additional two (2) percent must be accessible to people with vision and hearing impairments.

Recipients of HUD funding include, but are not limited to, public housing authorities, CDBG entitlement entities, and private organizations receiving HUD grant monies. Recipients must ensure full compliance with these federal laws and must also ensure compliance by all sub-recipients to whom funds are distributed. The Uniform Federal Accessibility Standards, the ADA Accessibility Guidelines, and the Fair Housing Act Accessibility Guidelines set forth architectural specifications for features of accessible design, such as ramps, passable doorways, and Braille signage.

HUD encourages state and local governments to adopt local building codes that comply with the accessibility requirements of the Fair Housing Act. In this regard, HUD has recognized ten (10) “safe harbor” model building codes which fully comply with the Fair Housing Act’s accessibility requirements. HUD provides free training and technical assistance on the Fair Housing Act’s design and construction requirements through its Fair Housing Accessibility FIRST program. For more information, please visit [www.fairhousingfirst.org](http://www.fairhousingfirst.org). The Applicant must comply with the applicable provisions of the Americans with Disabilities Act (42 U.S.C. 12101-12213) and assist the City with complying with the implementing regulations at 28 CFR part 35.

#### ***Lead-Based Paint***

The utilization of HOME funds requires the City and its partners to ensure that their activities comply with the same lead regulatory requirements that apply to Community Block Grant Development programs. These requirements are in the Lead Disclosure Rule (24 CFR part 35, subpart A), and the Lead Safe Housing Rule’s provisions for rehabilitation (subpart J), and for acquisition, leasing, support services, or operation (subpart K), and the accompanying procedural requirements in subparts B and R. For more information regarding compliance with the Lead rules, visit the OHHLHC’s web site at: [www.hud.gov/offices/lead/enforcement/regulations.cfm](http://www.hud.gov/offices/lead/enforcement/regulations.cfm).

#### ***Uniform Relocation Act***

The Uniform Act, passed by Congress in 1970, is a federal law that establishes minimum standards for federally funded programs (see Accessibility Section above) and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The Uniform Act's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects. The Applicant agrees to adhere to 49 CFR Part 24, the government-wide regulation that implements the URA, and HUD Handbook 1378, which provides HUD policy and guidance on implementing the URA and 49 CFR Part 24 for HUD funded programs and projects. For additional information visit the HUD website at: <http://www.hud.gov/offices/cpd/library/relocation/nsp/index.cfm>.

#### ***Conflict of Interest Provisions***

Applicants must guarantee that no member of, or Delegate to, the Congress of the United States shall be admitted to any share or part of this contract or to any benefit to arise from the same. Additionally, the Applicant must agree that no members of the governing body of the locality in which the Project Sponsor is situated, no other public official of such locality or localities, and no person, unless expressly permitted by HUD, who is an employee, agent, consultant, officer, or elected or appointed official of the Applicant, and who exercises or has exercised any functions or responsibilities with respect to HOME-assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the HOME-assisted activity, or have any interest in any contract, subcontract, or agreement with respect thereto, or with respect to the proceeds thereunder, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one (1) year thereafter.

The Applicant must agree that the codes of conduct provisions in 24 CFR § 84.42 shall apply to the procurement of supplies, equipment, construction and services. In all cases not governed by 24 CFR 84.42, the provisions of 24 CFR 92.356 shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the Applicant assistants of the Applicant to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to 24 CFR 92).

The Applicant must represent that it has no interest, and shall not acquire such interest, financial or otherwise, direct or indirect, nor engage in any business transaction or professional activity or incur any obligation of any nature which would conflict in any manner with the performance of scope of service required hereunder.

Without receiving prior written authorization by the City, the Applicant shall not (i) retain any individual or company with whom the Applicant or any individual member thereof has a financial or other conflict of interest; nor (ii) in fulfillment of this Agreement, do business with a for-profit entity in which the Applicant or any individual member has a financial or other interest therein.

The Applicant warrants to the City that no gifts or gratuities have been or will be given to any City employee or agent, either directly or indirectly, to obtain this Award.

### ***Rehabilitation Standards***

All housing that requires rehabilitation must meet local building codes including but not limited to, the Standard Southern Building Code (SBCCI), and ordinances pertaining to providing housing that is decent, safe, sanitary, and fit for habitation.

### **Contract Procedures for Successful Bidders**

Mandatory training is held for successful bidders following a Notice of Award to provide information that will enable them to carry out their contractual responsibilities. Information is given on the proper completion of financial reports and the proper documentation required for reimbursements.

The HCD will monitor all successful bidders to ensure program compliance. Monitoring is an ongoing process that assesses the quality of program performance over the duration of the contract. Monitoring provides information for making informed judgment about program effectiveness and management efficiency, as well as identifies internal weaknesses that may contribute to fraud or abuse. The procedures established are to ensure program compliance with the requirements of the City and other applicable laws and regulations.

1. **Desk Monitoring:** Desk monitoring is the review of pertinent program/project documents submitted by the successful bidder. Staff uses the contract agreement and its amendments as a basis for conducting the desk monitoring of specific projects. Quarterly reports and reimbursement requests forms submitted by the successful bidder is the primary information used by the staff for desk monitoring. Desk monitoring also includes a self-monitoring component where an audit of the department files is conducted through a data collection tracking system to ensure complete and accurate documentation is being maintained.
2. **Internal & Onsite Monitoring:** Internal and onsite monitoring may include, but is not limited to: 1.) Review of program and financial records, 2.) Project files to verify supporting documentation is available and maintained, and 3.) Internal policies and procedures as applicable to the program. Onsite reviews will be conducted annually to assess capabilities of the successful bidder and its staff in implementing projects in accordance to the terms of the contract agreement.
3. **Quarterly Reports:** Quarterly reporting is a requirement of the contract agreement. The information contained in the quarterly reports permits City staff to monitor program and financial performance of the successful bidder and allows early identification of potential compliance problems. The quarterly reports are required to be submitted regardless of the level of activity or expenditure.

### **Application Process**

The HCD invites organizations with eligible projects to submit proposals. The City is seeking proposals from organizations that can demonstrate the capability of addressing the priority needs of the Consolidated Plan and the HOME Action Plan.

**RFP TIMELINE**

September 19, 2011 on or before 3:00 p.m.	Due Date for Proposals
Week of September 19, 2011	Applicant Interviews
Week of September 19, 2011	Evaluation Committee Makes Recommendations
Week of September 19, 2011	Conduct Contract Negotiations with Successful Applicants.

**DUE DATE**

Proposals are due **no later than 3:00 p.m. Monday, September 19, 2011** and must be date stamped by the Procurement Division for official time received. Proposals are to be submitted at:

City of West Palm Beach  
Procurement Division  
401 Clematis Street, 5<sup>th</sup> Floor  
West Palm Beach, FL 33401

Proposals submitted by fax or email will not be accepted.

**RFP Review Process**

All responses to this RFP will be reviewed by a Evaluation committee. The Committee will perform a preliminary review of all proposals, with a follow-up presentation of each applicant. At the presentation, applicants will be required to make a 3 to 5 minute presentation on the merits of their project. The presentation will be followed by a question and answer session conducted by the Evaluation committee.

It is the responsibility of the Evaluation committee to ensure that each proposal contains all the information and documents required to verify that the proposal is appropriate for funding. This committee evaluates the content of the proposals and determines if they meet the evaluation criteria below:

1. Whether the proposed project appropriately addresses the identified needs;
2. Whether the proposed project complies with existing state and county laws, ordinances, regulations and policies;
3. Whether, if funded, implementation of the proposal would be delayed by the application for and processing of required discretionary land use permits;
4. Feasibility of timely implementation of the project; and
5. Whether cost estimates appear to be accurate.

Additionally, committee members may visit the proposal sites, which may impact the final funding recommendation. If a proposal is determined to be ineligible, the Applicant is informed and the proposal is withdrawn from

consideration. In cases where there is uncertainty as to the proposal's eligibility, the City's HUD CPD representative will be consulted for a final decision.

The Evaluation committee will evaluate proposals based on information provided in the original submission, but have the option of requesting additional information for clarification purposes.

### **AWARD RECOMMENDATIONS**

The Evaluation committee will make funding recommendations to the Director of the Housing and Community Development. The number of awards will be determined by the number of qualifying Applicants and the amounts requested by each. Award amounts may not be equal to the full amount requested in the proposal.

The Director of the Housing and Community Development will confirm or revise the recommendations and will subsequently make tentative commitments.

The maximum loan to value ratio shall be 90%, except for projects owned or sponsored by a non-profit or limited equity cooperative for which the maximum LTV shall be 95%. Non-amortizing or deferred payment loans may be excluded from the LTV calculation.

The number of awards will be determined by the number of qualifying Applicants and the amounts requested by each. Award amounts will not necessarily be equal to the full amount requested in the proposal.

If the City has committed funds to a project that can no longer proceed (i.e. other required funding is no longer available, site is not feasible due to environmental issues, etc.), the City reserves the right to redistribute funds to the next highest ranked Applicant. At the City's discretion, the funding commitment may be increased based on funding availability and need.

### **DISCLAIMER**

The City reserves the right to: 1) accept or reject any or all proposals received; 2) waive any non-substantive deficiency or irregularity; 3) negotiate with any qualified Applicant; 4) award a contract in what it believes to be the best interest of the City; 5) cancel this request, in part or its entirety, if it is deemed to be in the best interest of the City; 6) reject the Proposal of any Applicant who has previously failed to perform properly; 7) reject the Proposal of any Applicant who has failed to complete a contract within the specified timeframe; 8) reject the Proposal of any Applicant that is not in a position to fulfill a resulting contractual obligation. This RFP does not commit the City to award any contract, pay any pre-award expenses, or pay any costs incurred in the preparation of a Proposal.

### **APPEAL PROCESS**

In the event a Applicant (1) did not submit a complete proposal and will not be considered for funding, (2) is ineligible to receive funding for their proposal, or (3) was not recommended for funding by the Evaluation committee, the HCD will notify the Applicant in writing. This notice will be sent via certified mail with the return receipt requested.

If the Applicant wishes to object, it must do so not later than five (5) working days from the date the letter was sent by sending a letter to the Director of the Housing and Community Development Department that includes all pertinent documents and information necessary to support the Applicant's position.

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If the HCD receives an objection within the five (5) working day period, the appropriate staff will review the objection and provide a recommendation to the Director of the Housing and Community Development.

If the Director of the Housing and Community Development concurs with the Applicant, the Applicant will be notified, and the process will be concluded.

If the Director of the Housing and Community Development does not concur with the Applicant, the Applicant will be notified in writing of the decision and that it may appeal to the Deputy City Administrator. This notice will be sent via certified mail with the return receipt requested.

If the Applicant wishes to appeal to the Deputy City Administrator, it must do so not later than five (5) working days from the date the letter was sent by sending a letter to the Director of the Housing and Community Development, requesting that the appeal be forwarded to the Deputy City Administrator.

If the Department receives the appeal within the five (5) working day period, the appropriate staff will review the appeal and the Director of the Housing and Community Development will provide information for review by the Deputy City Administrator.

If the Deputy City Administrator concurs with the Applicant, the Applicant will be notified, and the appeal process will be concluded.

If the Deputy City Administrator does not concur with the Applicant, the Applicant will be notified in writing of the City's intent to proceed. The Deputy City Administrator's response will constitute the Applicant's final administrative action with regard to its appeal.

If a Applicant fails to object or respond at any point in the process, that Applicant waives its rights to appeal. Objections or responses received after the five (5) day time period will not be considered.

The Director of the Housing and Community Development has the authority to determine whether or not a recommendation will be deferred pending the outcome of a protest.

Prior to responding to the RFP, each qualified organization is urged to review the RFP and read the instructions carefully. Before submitting the proposal, check all calculations and review the package for completion of all forms and sections. Inaccuracies, omissions and use of RFP forms from previous competitions will be grounds for rejection.

**REGISTRATION FORM**

So that the City may know of your interest respondents are requested to complete and return the Registration Form to the Procurement Division prior to **5:00 P.M. EST September 12, 2011, in order to receive any addenda(s) issued for this RFP.**

It is the responsibility of the Respondent to ensure its receipt of all addenda.

Name of Company: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Preferred Method of Receipt:       Fax       E-Mail

**REFERENCES**

Respondent/Firm: \_\_\_\_\_

Client Contact Name and Title: \_\_\_\_\_

Name of Client Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Dates of Performance: \_\_\_\_\_

Define scope of services provided:

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Name of Staff that performed services:

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Attach additional reference and supplemental information as needed.

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**REPRESENTATIONS AND DISCLOSURE**

RFP No. \_\_\_\_\_

STATE OF \_\_\_\_\_ }

} SS:

COUNTY OF \_\_\_\_\_ }

I am a officer of the Respondent firm, named below, submitting its qualifications under an RFP and am authorized to make the following Representations and Disclosures on behalf of the Respondent. I certify or affirm that to the best of my knowledge and belief, the following statements are true:

1. Respondent agrees that its proposal may become part of any contract entered into between the City and the Respondent.
2. There are no actual, apparent or potential conflicts of interest with Respondent or any sub-Contractors or subcontractors that are present or could develop with respect to the scope of services for the project/study and any parties to this solicitation or any third parties.
3. Submittal of Respondent’s Proposal is made without connection with any persons, company or party making another submittal, and that it is in all respects fair and in good faith without collusion or fraud.
4. Respondent has not filed for bankruptcy in the past five (5) years.
5. Neither Respondent nor any of Respondent’s principals have been convicted of or indicted for a felony or fraud.
6. Respondent and any parent corporations, affiliates, subsidiaries, members, shareholders, partners, officers, directors or executives thereof are not presently debarred, proposed for debarment or declared ineligible to bid or participate in any federal, state or local government agency projects and are not listed on the Florida convicted vendor list.
7. Respondent warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for Respondent, to solicit or secure an award under this RFP and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for Respondent, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from an award.
8. Respondent certifies the compensation and hourly rates and other expenses or costs to be compensated as proposed are accurate, complete and current and the time of contracting and no higher than those charged to the Respondent’s other customers for the same or substantially similar service in the Southeast Region of the United States during the preceding twelve (12) month period.
9. Respondent certifies to the best of its knowledge and belief that no funds or other resources received in connection with an award of a contract from this RFP will be used directly or indirectly to influence legislation or any other official action by the Florida Legislature or any state agency.

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I certify or affirm that to the best of my knowledge and belief, the above 9 statements are true.

Respondent Firm: \_\_\_\_\_

Officer's Name: \_\_\_\_\_ Title: \_\_\_\_\_

**Signature:** \_\_\_\_\_

AFFIRMED AND SIGNED before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011\_\_\_\_

by \_\_\_\_\_ (name) as \_\_\_\_\_ (title) of

\_\_\_\_\_ (Respondent firm), and who is personally known to me

or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

Notary Stamp:

*In the event Respondent cannot execute this form as drafted, Respondent may substitute a similar Representations and Disclosure certifying to the facts applicable to the Respondent.*