PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

June 14, 2022

Consent Ordinance X] Regular [] Public Hearing

Department:

Housing and Economic Development

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) approve a State Housing Investment Partnerships (SHIP) Program award of \$1,499,500 to Wells Landing Apartments LLC; and
- B) approve a SHIP award of \$500,500 to Berkeley Landing LLC; and
- C) approve additional revenue replacement American Rescue Plan Act (ARPA) funding of \$589,500 to Berkeley Landing LLC; and
- D) approve a Budget Transfer of \$589,500 in the ARPA fund; and
- E) direct staff to negotiate the loan agreement(s); and
- F) authorize the County Administrator, or designee, to execute the loan agreement(s), amendments thereto, and all other documents necessary for project implementation.

Summary: On March 7, 2022, the Department of Housing and Economic Development issued Request for Proposals HED.2022.1 (RFP) making \$2,000,000 in State SHIP funding available to developers for new construction, rehabilitation, or acquisition of affordable multifamily housing. A selection committee consisting of three (3) voting members met at a public meeting held on May 5, 2022, and recommended funding for two (2) projects:

- 1) \$1,499,500 loan to Wells Landing Apartments LLC (an affiliate of Centennial Management Corp.) to construct Wells Landing, a 124-unit multifamily rental development, including no fewer than 21 SHIP-assisted units, located on Dr. Martin Luther King Jr. Boulevard, east of Seacrest Boulevard, Boynton Beach. The project includes 21 units for households at 30% Apartments for 60% AMI, four (4) units for 50% AMI, 32 units for 60% AMI, and 67 units for 70% AMI.
- 2) \$1,090,000 loan to Berkeley Landing LLC (an affiliate of Pinnacle Communities and Wendover Housing Partners) to construct Berkeley Landing, a 112-unit multifamily rental development, including no fewer than 15 SHIP-assisted units, located at 3100-3124 Broadway Avenue, Riviera Beach. The project includes 17 units for households at 30% AMI, 74 units for 60% AMI, 19 units for 80% AMI, and two (2) market rate units.

The Berkeley Landing proposal requested a total of \$1,090,000 in funding. In an effort to support shovel ready projects, we recommend funding the remaining \$589,500 utilizing revenue replacement ARPA funds. The funding will be provided using the same agreement, terms and conditions as the awarded SHIP funding.

All SHIP-assisted units will remain affordable to tenants with incomes no greater than 80% of Area Median Income for no less than 30 years. The funding agreements and related documents pursuant to these SHIP funds will be between the County and the entities identified herein or their respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreements and related documents. These are County ARPA and State SHIP Program grant funds that do not require a local match. District 7 (HJF)

Background and Policy Issues: Continued on Page 3

Attachment(s):

- Selection Committee Scoring Sheets Request for Proposals HED.2022.2
- Project Description for Wells Landing
- Project Description for Berkeley Landing
- 5 Budget Transfer

Recommended B	y: Orathan 1 Department Di	Brown	5/19	2022 te
Approved By:	Sons M Assistant County Ac	Nin	5/26/50 De	27-)

II. FISCAL IMPACT ANALYSIS

iscal Years	2022	2023	2024	2025	2026
Capital Expenditures					
Operating Costs	2,589,500				
External Revenues	(2,589,500)				·
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	-0-				
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-				
Item Included In Propositions Item Include the udget Account No.: und 1100 Dept.143Unit 71 und 1100 Dept.143Unit 71 und 1100 Dept.143Unit 71	76 Object 8201 76 Object 8201 76 Object 8201	Program Co Program Co Program Co	ode/Period S ode/Period R ode/Period R	H102E/GY2 FS102E/GY FS102F/GY	21 <u>\$499,500</u> 21 <u>\$500,500</u>
und 1162 Dept. <u>143</u> Unit <u>31</u>	<u>0D</u> Object 8201	Program Co	ode/Period _		\$589,500
		-	_		
Approval of this ag \$589,500 in revenu projects as follow (\$1,090,000).	lenda item will le replacement vs: Wells La	appropriate ARPA fun anding (\$1	e \$2,000,00 ds for two 1,499,500) f; Division D	0 in the SH (2) afforda and Berke	able housing
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(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

Department Director

Background and Policy Issues: (continued from Page 1)

The Florida Housing Finance Corporation provides an annual allocation of SHIP grant funding to Palm Beach County. SHIP provides affordable rental housing and homeownership opportunities for persons with incomes no greater than 140% of Area Median Income.

A total of four (4) proposals were received in response to the RFP. Three (3) proposals were determined to be responsive to the eligibility and submittal requirements of the RFP. A proposal from Island Cove LLC for the Island Cove Apartments project located in Delray Beach was determined to be non-responsive because it did not meet RFP eligibility minimum requirements for overall income targeting. The RFP selection committee reviewed and scored responsive proposals during a public meeting on May 5, 2022. In accordance with Board direction, the RFP scoring criteria favored selection of shovel-ready projects that could most quickly deliver new housing units to increase local supply of affordable housing. The proposal scores and ranking were as follow:

Rank	Score	Project	Funding Recommendation
1	270	Wells Landing	\$1,499,500
2	259	Berkeley Landing	\$500,500
3	257	Calusa Pointe II	\$-0-

All respondents to the RFP have been notified of the funding recommendations and of the RFP protest procedures. No protests were received by the protest period deadline.

RFP HED.2022.1 Selection Committee Score Tally Sheet May 4, 2022

Selection Committee Members	Berkeley Landing	Calusa Pointe II	Wells Landing
Bolton, Jeff	70	78	91
Cheney, Bud	90	88	90
George, Lesley	89	91	89
TOTAL SCORE	259	257	270





RFP HED.2022.1 Selection Committee Member Score Sheet

Scoring Criterion	Maximum Points	Berkeley Landing	Calusa Pointe II	Wells Landing
Assessment of the Respondent and development team's qualifications and experience, particularly with residential projects of a similar nature as that proposed.	25	23	23	23
The project schedule and time frames are realistic and achievable. The project demonstrates the readiness to proceed in an expeditious manner following the award of SHIP funds. There are no apparent obstacles that will jeopardize the project schedule. The Project will deliver SHIP-assisted units/beneficiaries by June 30, 2024.	25	21	17	24
Assessment of project development plan, design features, unit finishes, site amenities, number of affordable units/income targeting, proximity to services and facilities, and green building/resiliency features.	20	18	17	21
Assessment of financial viability of project, including availability of development funding sources and reasonableness of uses, revenues/expenses, ability to repay debt and meet future physical needs, and likelihood of sustainable performance over time. Consideration given to level of SHIP subsidy requested per SHIP-assisted housing unit, and to leveraging of committed non-SHIP development funding sources.	20	18	16	23
Projects located within a Census Tract with a poverty rate of no less than 20% (as determined by 2019 American Community Survey 5-Year Data Table S1701) will receive five (5) points.	5	0	5	0
Projects where no fewer than 50% of the total housing units will be occupied by Disabled Persons, Elderly Persons, or Veterans will receive five (5) points.	5	0	0	0
Projects that voluntarily commit to restrict rents in all SHIP-Assisted Housing Units to no greater than 30% of tenant household income will receive five (5) points.	5	0	0	0
TC	TAL SCORE	80	78	9/

Name: JSFF BOLTOW

Signature: ______ Date: _

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Department of Housing & Economic Development

RFP HED.2022.1 Selection Committee Member Score Sheet

Scoring Criterion	Maximum Points	Berkeley Landing	Calusa Pointe II	Wells Landing
Assessment of the Respondent and development team's qualifications and experience, particularly with residential projects of a similar nature as that proposed.	25	25	25	25
The project schedule and time frames are realistic and achievable. The project demonstrates the readiness to proceed in an expeditious manner following the award of SHIP funds. There are no apparent obstacles that will jeopardize the project schedule. The Project will deliver SHIP-assisted units/beneficiaries by June 30, 2024.	25	25	18	25
Assessment of project development plan, design features, unit finishes, site amenities, number of affordable units/income targeting, proximity to services and facilities, and green building/resiliency features.	20	20	20	Ð
Assessment of financial viability of project, including availability of development funding sources and reasonableness of uses, revenues/expenses, ability to repay debt and meet future physical needs, and likelihood of sustainable performance over time. Consideration given to level of SHIP subsidy requested per SHIP-assisted housing unit, and to leveraging of committed non-SHIP development funding sources.	20	20	20	20
Projects located within a Census Tract with a poverty rate of no less than 20% (as determined by 2019 American Community Survey 5-Year Data Table S1701) will receive five (5) points.	5	0	5	0
Projects where no fewer than 50% of the total housing units will be occupied by Disabled Persons, Elderly Persons, or Veterans will receive five (5) points.	5	0	0	0
Projects that voluntarily commit to restrict rents in all SHIP-Assisted Housing Units to no greater than 30% of tenant household income will receive five (5) points.	5	0	0	0
TC	TAL SCORE	90	38	90

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Date: 5-4

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Department of Housing & Economic Development

RFP HED.2022.1 Selection Committee Member Score Sheet

Scoring Criterion	Maximum Points	Berkeley Landing	Calusa Pointe II	Wells Landing
Assessment of the Respondent and development team's qualifications and experience, particularly with residential projects of a similar nature as that proposed.	25	24	23	24
The project schedule and time frames are realistic and achievable. The project demonstrates the readiness to proceed in an expeditious manner following the award of SHIP funds. There are no apparent obstacles that will jeopardize the project schedule. The Project will deliver SHIP-assisted units/beneficiaries by June 30, 2024.	25	25	23	25
Assessment of project development plan, design features, unit finishes, site amenities, number of affordable units/income targeting, proximity to services and facilities, and green building/resiliency features.	20	20	.Do	20
Assessment of financial viability of project, including availability of development funding sources and reasonableness of uses, revenues/expenses, ability to repay debt and meet future physical needs, and likelihood of sustainable performance over time. Consideration given to level of SHIP subsidy requested per SHIP-assisted housing unit, and to leveraging of committed non-SHIP development funding sources.	20	22	æ	20
Projects located within a Census Tract with a poverty rate of no less than 20% (as determined by 2019 American Community Survey 5-Year Data Table S1701) will receive five (5) points.	5	0	5	0
Projects where no fewer than 50% of the total housing units will be occupied by Disabled Persons, Elderly Persons, or Veterans will receive five (5) points.	5	0	0	0
Projects that voluntarily commit to restrict rents in all SHIP-Assisted Housing Units to no greater than 30% of tenant household income will receive five (5) points.	5	0	0	0
TC	OTAL SCORE	89	91	89

Name:	LESley	Ceorge		
Signaturé: _		5	Date:	5/4/22





Request for Proposals

RFP HED.2022.1



Multifamily Development

State Housing Investments Partnership Program

March 2022



ATTACHMENT 2

TABLE OF CONTENTS

SEC	CTION I
A.	Statement of Purpose
В.	Background1
C.	Funding Available1
D.	Defined Terms
Ε.	Location Requirements2
F.	Eligible Projects3
G.	SHIP-Assisted Housing Units3
Н.	Eligible Beneficiaries4
ı.	Period of Affordability4
J.	Affordable Rental Rates4
K.	Eligible Costs5
L.	SHIP Funding Terms5
M.	Relocation5
N.	Schedule5
SE	CTION II
A.	Proposal Requirements6
В.	Timetable9
c.	Pre-submittal Conference
D.	Addenda10
Ε.	Submittal Format
F.	Submittal Deadline10
G.	Responsiveness Review10
Н.	Contact Person
ı.	Lobbying – "Cone of Silence"11
J.	Postponement/Cancellation11
ĸ.	Costs Incurred by Respondents
L.	Right of Clarification12

M. Delineation of RFP......12

N. Oral Presentations	12
O. Proprietary/Confidential Information	12
P. Non-Discrimination	12
Q. Rules, Regulations, Licensing Requirements	13
R. Disclaimer	13
S. Public Entity Crime	13
T. Insurance	13
U. Palm Beach County Office of the Inspector General	13
SECTION III	
A. Proposal Selection and Evaluation	15
B. Award Recommendation	15
C. Funding Award	15
D. Agreement Negotiations	15
E. Right to Protest	16
•	
EXHIBIT A: 2021 Income Limits Chart	17
EXHIBIT B: 2021 Rent Limits	18
EXHIBIT C: Respondent Certification Form	19
EXHIBIT D: Disclosure of Beneficial Interests	20
EXHIBIT E: Disclosure of Relationships with the County	22
EXHIBIT F: Drug Free Workplace Certification	24
EXHIBIT G: Palm Beach County Lobbyist Registration Ordinance	25
FXHBIT H: Census Tract Man	31

SECTION I

A. Statement of Purpose

Through this RFP, the Palm Beach County Board of County Commissioners (County) is offering State Housing Initiatives Partnership (SHIP) Program funds to Sponsors to expand the local inventory of affordable Multifamily Housing.

B. Background

The State Housing Initiatives Partnership (SHIP) Program provides funds to local governments as an incentive to create partnerships that produce and preserve affordable housing. The SHIP Program is administered by the Florida Housing Finance Corporation (FHFC) and is governed by Florida Statues, Chapter 420 Part VII, and Florida Administrative Code Rule Chapter 67-37. Palm Beach County's SHIP Program is administered on behalf of the Board of County Commissioners by the Department of Housing and Economic Development (DHED).

C. Funding Available

RFP HED.2022.1 makes available \$2,000,000 in SHIP funding from Program Year (PY) 2021-2022. Funds are exclusively to provide loan financing for the construction, acquisition, and/or rehabilitation of SHIP-Assisted Housing Units for Eligible Beneficiaries. All SHIP funds must be expended and SHIP-Assisted Housing Units constructed no later than June 30, 2024.

SHIP funding made available through this RFP shall not be used as the Local Government Area of Opportunity Funding match for the FHFC's Housing Credits Program, but may be used as a match for other FHFC or federal, state, and local programs.

D. Defined Terms

Affordability Requirements are defined as the requirements imposed upon SHIP-Assisted Housing Units to serve lower income households at affordable rents as established in this RFP HED.2022.1.

Area Median Income (AMI) is defined as the most current income limits published by the FHFC for the West Palm Beach - Boca Raton Metropolitan Statistical Area (Palm Beach County).

Disabled Person is defined as a person with a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a

person who is perceived by others as having such an impairment, including persons less than 65 years of age who receive Supplemental Security Income.

Elderly Person is defined as a person 62 years of age or older.

Eligible Beneficiaries are defined as Low Income and Very Low Income households.

SHIP-Assisted Housing Unit is defined as a housing unit assisted with SHIP funding provided through RFP HED.2022.1 and bearing all requirements related thereto.

Low Income is defined as an annual household income that does not exceed eighty percent (80%) of AMI as annually determined by FHFC.

Multifamily Housing is defined as housing characterized by four (4) or more attached units per residential structure under common ownership and offered for rent through a leasehold agreement.

Period of Affordability is defined as the time period for which SHIP-Assisted Housing Units shall bear Affordability Requirements of the SHIP Program and RFP HED.2022.1.

Respondent is defined as an entity that submits a proposal in response to this RFP.

Selection Committee is defined as the body of individuals that evaluates responsive proposals at a public meeting and formulates funding recommendations for consideration by the Palm Beach County Board of County Commissioners.

Sponsor is defined as an entity which: 1) is funded through this RFP to complete the development of SHIP-Assisted Housing Units; 2) has site control of the project site; and 3) plans and implements the project through completion and delivery to Eligible Beneficiaries. Such entities shall be limited to private for-profit entities, private non-profit entities, public agencies, or ventures between the same. Sponsors assume responsibility for compliance with all SHIP program requirements.

Very Low Income is defined as an annual income that does not exceed fifty percent (50%) of AMI as determined annually by FHFC.

Veteran is defined as a person who served in active military, naval, or air service and who was discharged or released under conditions other than dishonorable.

E. Location Requirements

Properties must be located exclusively within Palm Beach County. The Palm Beach County SHIP program jurisdiction includes the geographic area within the corporate bounds of Palm Beach County, but excludes the following municipalities which receive SHIP funding directly from FHFC:

- Boca Raton, City of
- Boynton Beach, City of
- Delray Beach, City of
- West Palm Beach, City of

If a project is located within the municipal bounds of any of the above-listed municipalities, the municipality must make a financial contribution to the project in an amount no less than the SHIP funding request (dollar-for-dollar 100% match). The municipal financial contribution to the project may be in the form of a grant, a loan, the market value of donated real property, or other quantifiable means, such as waiver of permit fees, impact fees, or other development fees. The County has the sole authority to determine the value of the financial contribution. The Respondent is solely responsible for obtaining the municipal financial contribution, and for providing documentation evidencing the financial contribution at time of proposal submittal.

F. Eligible Projects

Eligible projects shall be limited to construction, acquisition, and/or rehabilitation of Multifamily Housing.

Projects involving the acquisition and/or rehabilitation of housing units that currently bear existing affordability restrictions associated with prior Federal, State, or local housing programs are <u>not</u> eligible for funding.

Projects which have already received a prior award of SHIP or HOME Investments Partnership Program funds from Palm Beach County are <u>not</u> eligible for funding.

Single-family housing, transitional housing, emergency shelters, group homes, single-room occupancy housing, and units within a condominium complex are <u>not</u> eligible for funding.

G. SHIP-Assisted Housing Units

Sponsors shall designate a certain number of units within the project as "fixed" SHIP-Assisted Housing Units that shall bear SHIP requirements and be occupied by Eligible Beneficiaries. Projects may contain both SHIP-Assisted Housing Units and non-SHIP-Assisted Housing Units. In Multifamily Housing projects there shall be a representative distribution of housing unit sizes among the mix of SHIP-Assisted Housing Units and non-SHIP-Assisted Housing Units.

The number of SHIP-Assisted Housing Units in the development may be guided by maximum per unit SHIP subsidy limits. The maximum per unit SHIP subsidy is \$70,000 for all unit sizes up to and including two (2) bedroom units, and is \$80,000 for all unit sizes three (3) bedrooms plus.

Housing units that are set-aside within the project to meet the requirements of other non-SHIP funding sources may also serve as SHIP-Assisted Housing Units.

H. Eligible Beneficiaries

All SHIP-Assisted Housing Units must be set aside exclusively for Eligible Beneficiaries during the Period of Affordability, that is for Low Income and Very Low Income households.

At least twenty-five percent (25%) of the SHIP-Assisted Housing Units must be set aside for Very Low Income households. Prospective tenants referred through Palm Beach County Community Services Department's coordinated entry system must be given first priority for no less than half of the Very Low Income units in Multifamily Housing projects.

FHFC's 2021 income limits are set forth in Exhibit A.

I. Period of Affordability

All SHIP-Assisted Housing Units shall bear the Affordability Requirements of the SHIP Program and RFP HED.2022.1 for no less than thirty (30) years (the Period of Affordability).

During the Period of Affordability, all SHIP-Assisted Housing Units shall be occupied by Eligible Beneficiaries as leasehold tenants.

The Period of Affordability will be secured and enforced through a lien on title to the property.

J. Affordable Rental Rates

During the Period of Affordability, all SHIP-Assisted Housing Units must be leased to Eligible Beneficiaries at affordable rents.

For Multifamily Housing, affordable rents must not exceed the rent limit established by FHFC for Very Low Income and Low Income households for the applicable housing unit size. FHFC's most recent available SHIP rent limits are set forth in Exhibit B. SHIP rent limits are subject to annual adjustment by FHFC.

This RFP places no restrictions on the rents Sponsors may charge for the non-SHIP-Assisted Units within a mixed income project, except that those rents shall comply with the applicable requirements of any other non-SHIP subsidy sources.

All rental requirements will be codified in a SHIP funding agreement between the County and the

Sponsor and will be secured by an encumbrance on title to the property.

K. Eligible Costs

Eligible uses of the SHIP funds are limited to project development costs attributable to the SHIP-Assisted Housing Units; including: acquisition and related costs; architectural and engineering services; demolition; site improvements, construction (including rehabilitation); building permits; utility connection fees; impact fees; and developer fee. Determination of cost eligibility and reasonableness shall be at the County's sole and absolute discretion. Costs of off-site improvements, payment of delinquent taxes and other fees, and costs related to other project financing are ineligible for payment with SHIP funds.

L. SHIP Funding Terms

SHIP funding will be provided to Sponsors in the form of a loan for permanent financing.

The loan shall be secured by a mortgage and note that require repayment of principal and interest. The loan's interest rate, term, and structure are negotiable. At its sole and absolute discretion, the County may offer fixed-rate, adjustable-rate, interest-only, and cash flow dependent loans.

The Sponsor shall pay a \$2,000 annual monitoring fee during each year of the term of the loan.

M. Relocation

The County seeks to avoid displacement of residential households. If a project will result in the displacement of residential tenants from the project site, the Respondent will be required to submit a plan to provide relocation assistance to such displaced persons, and to identify non-SHIP funding for relocation costs in the development budget. The Sponsor is solely responsible for all requirements and costs related to implementation of the relocation plan.

N. Schedule

It is the goal of the County to select proposals that are most likely to meet the following deadlines:

March 30, 2023Execution of SHIP Funding Agreement

June 30, 2024......100% expenditure / SHIP Beneficiaries Realized

SECTION II

A. Proposal Requirements

A completed registration form for RFP HED.2022.1 shall be submitted to HED in order to be eligible to submit a proposal. The registration form is located at pbcgov.com/hed_ or may be obtained by visiting HED at 100 Australian Avenue, Suite 500, West Palm Beach, FL 33406.

Each proposal shall meet the following criteria in order to be considered responsive and to be eligible for funding consideration:

- 1. The proposal shall include a completed and executed copy of the Respondent Certification Form, attached hereto as Exhibit C. Submit as Attachment 1.
- 2. The proposal shall include a detailed project description, including but not limited to: development category; development type; site plan; architectural renderings; numbers and types of buildings; total numbers of housing units by unit size and designated income set aside; numbers of SHIP-Assisted Housing Units by unit size and designated income set aside; site amenities; and targeted resident populations. The description shall include a narrative description of the green building design features and/or construction methods, materials, equipment, and appliances that provide for energy efficiency and resiliency of the project. The description shall include project location information including the development site(s) PCN(s), address (if any), Census Tract, and a detailed site location map. Submit as Attachment 2.
- 3. The proposal shall include a project market analysis, including: an analysis of local housing market supply, demand, and pricing; an assessment of project marketability; and identification of any publicly financed or subsidized affordable housing developments located within a one (1) mile radius of the proposed project. Submit as Attachment 3.
- 4. The proposal shall identify the contact information for all of the project team members. Information should include the name, business affiliation, address, phone number and contact person for each team member. The proposal must identify at a minimum the Respondent, Sponsor, construction contractor, A&E consultant(s), and attorney. Submit as Attachment 4.
- 5. The proposal shall include an organization chart that details the ownership structure of the project, including the membership of the Respondent and Sponsor. *Submit as Attachment 5.*
- 6. The proposal shall describe the experience of the Respondent in undertaking similar activities, including details of the last three (3) projects of similar scope and magnitude to the project proposed by the Respondent. In addition, the proposal shall include individual résumés that identify each of the proposed team members' experience in similar roles. Submit as Attachment 6.

- 7. The proposal shall include evidence of site control for the entire project site(s). Evidence means a fully executed contract for purchase of the property, an option to purchase, a long-term lease, a lease option, a recorded deed, or a recorded certificate of title. Submit as Attachment 7.
- 8. For projects involving acquisition, the proposal shall include an appraisal of the property(s) to be acquired performed by a third-party independent licensed property appraiser. *Submit as Attachment 8*.
- 9. The proposal shall include a detailed development pro forma which includes all project sources and uses of funding and which explicitly states all assumptions. The proposal shall include documentation supporting all proposed construction/rehabilitation costs in the form of either an estimate of probable cost prepared by a licensed architect or by written price estimates from at least two (2) licensed contractors. Submit as Attachment 9.
- 10. For projects located within the municipalities identified in Section I.E.—Location Requirements as being outside of the Palm Beach County SHIP program jurisdiction, the proposal shall include documentation evidencing availability of the required dollar-for-dollar (100%) municipal match. Acceptable documentation includes an executed funding agreement, a resolution or other official action of the City Commission that commits to provide the match, a letter from the City Administrator detailing a proposed match and the date upon which it will be presented to the City Commission for approval (such approval must occur prior to the Selection Committee meeting and will be verified by the County), or official municipal documentation evidencing a non-monetary contribution to the project with a quantified monetary value (donated real property or waived municipal fees). This submittal requirement is only applicable to projects located in the city limits the municipalities identified in Section I.E. as being outside of the Palm Beach County SHIP program jurisdiction. Submit as Attachment 10.
- 11. The proposal shall include a detailed 15-year operating pro forma that includes all project revenues, expenses, debt service, and reserves, and which explicitly states all assumptions. Submit as Attachment 11.
- 12. The proposal shall include documentation evidencing availability of all sources of funding required for the non-SHIP balance of the project development budget. Acceptable documentation includes documentation from the funding source(s) providing a firm or a conditional commitment to fund and identifying all terms and conditions. If development sources include Palm Beach County Workforce Housing Program (WHP) exchange funding, the proposal shall include documentation of Board of County Commissioners approval of the comingling of WHP exchange funds with other County funds in the project. The proposal shall also document availability of all sources of operating subsidy (if any), including project-based voucher subsidies. Submit as Attachment 12.

- 13. The proposal shall identify the current zoning and land use for the project site, the status of development approvals, the availability of required infrastructure, and shall describe the site's proximity to and availability of transportation services, employment centers, commercial centers, medical facilities, and educational services. *Submit as Attachment 13*.
- 14. The proposal shall include a detailed project schedule including all activities from predevelopment, due diligence, land acquisition, engineering, development approvals, permitting, construction, and marketing, through completion and full lease-up. *Submit as Attachment 14*.
- 15. The proposal shall include two (2) years of Externally Audited Financial Statements, Externally Reviewed Financial Statements, Externally Compiled Financial Statements, Federal Income Tax Returns, or Internally Compiled Financial Statements for the Respondent. Respondent organizations established and operating less than two (2) years shall provide the required documents for the maximum period possible. Organizations established and operating less than one (1) year shall submit documentation supporting why the requirements cannot be met, and shall provide documentation evidencing the financial status of the organization. Submit as Attachment 15.
- 16. The proposal shall include an executed public disclosure, in writing, under oath and subject to the penalties prescribed for perjury, on the form attached hereto as Exhibit D, disclosing the name and address of every person having a beneficial interest in the proposed transaction. The beneficial interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public, is exempt and need not be disclosed. *Submit as Attachment 16*.
- 17. The proposal shall include an executed public disclosure, in writing, under oath and subject to the penalties prescribed for perjury, on the form attached hereto as Exhibit E, disclosing the name of any Respondent officer, director, or agent, who is also an employee of Palm Beach County, and disclosing the name of any County official or employee who owns, directly or indirectly, an interest in Respondent's firm or any of its affiliates. Submit as Attachment 17.
- 18. The proposal shall include a detailed litigation history of the Respondent, which shall identify any litigation matter in the past five (5) years involving any projects or key personnel employed by Respondent. Submit as Attachment 18.
- 19. The proposal shall include an executed Drug Free Workplace Certification indicating that the Respondent has implemented a Drug Free Workplace Program, which meets requirements of Section 287.087, Florida Statutes. A Drug Free Workplace Certification is provided as Exhibit F to this RFP. If Respondent has not implemented a Drug Free Workplace program, simply complete the form using "not applicable". Submit as Attachment 19.
- 20. The proposal shall identify anticipated residential displacement to be caused by the project, including: the number of occupied housing units at time of proposal submittal, number of

households that will be displaced; householder tenure; estimated number of persons to be displaced; and whether displacement is temporary or permanent. For projects that will result in the displacement of residential <u>tenants</u> from the project site, the proposal shall include a relocation plan to provide relocation assistance to such tenants. *Submit as Attachment 20*.

Proposals which fail to provide <u>all</u> applicable proposal requirements listed in Section II.A above will be deemed non-responsive. Determination of responsiveness is at the sole discretion of the County. Non-responsive proposals will receive no consideration for funding by the Selection Committee.

B. Timetable

The anticipated schedule and deadlines for the RFP are as follows:

Activity	Date, Time, and Location
Issue RFP	Advertised Monday, March 7, 2021
Non-Mandatory Pre-Submittal Workshop	Wednesday, March 16, 2022, 9:00am conducted remotely via Webex software platform (Meeting number 2304 571 4205 / Password PbAn6JMah38).
Submittal Deadline	Monday, April 18, 2022, 4:00pm, at the Department of Housing and Economic Development, 100 Australian Avenue, Suite 500, West Palm Beach, FL 33406.
	Proposals received after the deadline will be not be considered, and will be returned without consideration for funding. Modifications to proposals will not be permitted after the deadline.
Selection Committee Meeting	Wednesday, May 4, 2022, 9:00am (TENTATIVE) at the PBC Airport Center, 100 Australian Avenue, 4 th Floor Room 4-790, West Palm Beach, FL 33406. Respondent and members of the public may attend remotely via Webex (details to follow).
BCC Consideration	Tuesday, June 14, 2022 (TENTATIVE) , at the Commission Chambers, 6 th Floor, PBC Robert Weisman Governmental Center, 301 North Olive Avenue, West Palm Beach, FL 33401. BCC meetings begin at 9:30am.

C. Pre-Submittal Conference

A non-mandatory pre-submittal conference will be held on Wednesday, March 16th at 9:00am <u>remotely via Webex software</u> Meeting number: 2304 571 4205 / Password: PbAn6JMah38. County representatives will verbally present, highlight and reinforce the requirements of the RFP.

D. Addenda

If necessary, addenda will be mailed or delivered electronically to all known to have received a complete set of the RFP documents. Copies of the addenda will be made available at the Department of Housing and Economic Development, 100 Australian Avenue, Suite 500, West Palm Beach, Florida 33406 where the RFP documents are on file for that purpose. No addenda will be issued later than three (3) calendar days prior to the date for receipt of submittal deadline, except an addendum withdrawing the RFP or one, which includes postponement of the submittal deadline.

E. Submittal Format

Failure to provide all of the information and documentation required by this RFP (Section II.A—Submittal Requirements) shall result in a proposal being deemed non-responsive. Non-responsive proposals will receive no consideration for funding.

The Respondent must submit an electronic copy of the complete proposal in pdf file format on a USB drive, and ten (10) hard copies of the complete proposal. One (1) original hard copy must be in loose-leaf form, on paper no larger than $8.5" \times 11"$. The remaining nine (9) hard copies shall be bound on paper no larger than $8.5" \times 11"$, with tabbed/identified sections for each required attachment.

F. Submittal Deadline

Completed proposal submittal must be received by HED <u>no later than 4:00p.m. Monday, April 18, 2022</u>, at HED offices located at 100 Australian Avenue, Suite 500, West Palm Beach, FL 33406.

The Respondent is solely responsible for ensuring that its proposal arrives prior to the closing time and date. Delivery problems by third parties are not a valid excuse for missing the closing date or time. The words **RFP HED.2022.1** must be boldly printed on the proposal.

G. Responsiveness Review

Each proposal shall be reviewed by the County to determine, in its sole discretion, if the proposal is

responsive to the RFP. A responsive proposal is one which has been submitted by the specified submittal deadline and which contains all information and documentation required by Section II.A—Proposal Requirements. Determination of responsiveness is at the sole discretion of the County. Proposals deemed to be non-responsive shall be rejected without being evaluated by the Selection Committee.

While poor formatting, poor documentation, and/or incomplete or unclear information may not be cause to classify a proposal as non-responsive, such substandard submissions may adversely impact the evaluation of a proposal. Respondents who fail to comply with the required and/or desired elements of this RFP do so at their own risk.

H. Contact Person

Carlos Serrano, Director of Strategic Planning and Operations Department of Housing and Economic Development 100 Australian Avenue, 5th Floor, West Palm Beach, FL 33406 Phone: (561) 233-3608

Email: cserrano@pbcgov.org

I. Lobbying - "Cone of Silence"

Respondents are advised that the "Palm Beach County Lobbyist Registration Ordinance", a copy of which is attached hereto as Exhibit G, is in effect. The Respondent shall read and familiarize themselves with all of the provisions of said Ordinance, but for convenience, the provisions relating to the Cone of Silence have been summarized here. "Cone of Silence" means a prohibition on any non-written communication regarding this RFP between any Respondent or respondent's representative and any County Commissioner or Commissioner's staff. A Respondent's representative shall include but not be limited to the Respondent's employee, partner, officer, director or consultant, lobbyist, or any actual or potential subcontractor or consultant of the Respondent. The Cone of Silence is in effect as of the submittal deadline. The provisions of this Ordinance shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, or negotiations during any public meeting. The Cone of Silence shall terminate at the time that the BCC awards or approves a funding award, rejects all proposals or otherwise takes action which ends the solicitation process.

J. Postponement/Cancellation

The County may, at its sole and absolute discretion, reject any and all, or parts of any and all proposals; re-advertise this RFP; postpone or cancel this RFP; or waive any irregularities in this RFP or in the proposals received as a result of this RFP.

K. Costs Incurred by Respondents

All costs involved with the preparing and submission of Respondent's proposal to the County, and any work performed in connection therewith and in negotiating a proposed final agreement(s) shall be borne by the Respondent.

L. Right of Clarification

The County retains the right to contact Respondents after submittal in order to obtain supplemental information and/or clarification in either oral or written form.

M. Delineation of RFP

This is a Request for Proposals. The County reserves the right to reject all proposals or to negotiate individually with one or more Respondents, and to select a proposal on the basis of what the Board of County Commissioners determines to be in the best interest of the County.

N. Oral Presentation(s)

Respondents may be required to make oral presentations during the Selection Committee Meeting, and possibly, to answer questions in support of their proposal or to exhibit or otherwise demonstrate the information contained therein.

O. Proprietary/Confidential Information

All information submitted as part of, or in support of, proposals will be available for public inspection after submittal of proposals, in compliance with Chapters 119 and 286, Florida Statutes, popularly known as the "Public Records Law" and the "Government in the Sunshine Law", respectively.

P. Non-Discrimination

Palm Beach County does not discriminate on the basis of race, disability, color, sex, sexual orientation, religion, ancestry, age, gender identity or expression, genetic information, marital status, familial status, or national origin. Palm Beach County provides equal housing opportunities to all individuals.

Q. Rules, Regulations, Licensing Requirements

The Respondent shall comply with all laws, ordinances, and regulations applicable to the agreement contemplated herein, including those applicable to conflict of interest and collusion. Respondents are presumed to be familiar with all federal, state, and local laws, ordinances, codes, and regulations that may in any way affect the contract, especially Executive Order No. 11246 entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60).

R. Disclaimer

All documents and information, whether written, oral or otherwise, provided by the County relating to this RFP are being provided solely as an accommodation and for informational purposes only, and the County is not making any representations or warranties of any kind as to the truth, accuracy or completeness, or the sources thereof. County shall have no liability whatsoever relating to such documents and information and all parties receiving the same shall not be entitled to rely on such documents and information, but shall have a duty to independently verify the accuracy of the information contained therein.

S. Public Entity Crime

As provided in Florida Statutes 287.132-133, by submitting a proposal pursuant to this RFP or performing any work in furtherance hereof, the Respondent certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the thirty-six (36) months immediately preceding the date hereof. This notice is required by Florida Statutes 287.133(3)(a).

T. Insurance

The Sponsor shall be required to comply with County insurance requirements at such time that an agreement is executed.

U. Palm Beach County Office of the Inspector General

Palm Beach County has established the Office of Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions,

accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of any party doing business with the County, including the party's officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud. All consultants and parties doing business with the County shall fully cooperate with the Inspector General including providing access to records relating to this RFP and any resulting contract. Failure to cooperate with Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 – 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

SECTION III

A. Proposal Selection and Evaluation

A Selection Committee will be designated for evaluation of all responsive proposals. Non-responsive proposals will not be evaluated by the Selection Committee and will be given no consideration for funding. The Selection Committee shall conduct its evaluation in adherence with the program requirements and evaluation criteria outlined in this RFP. The County reserves the right to appoint non-County employee(s) to the Selection Committee.

The following criteria will be used by the Selection Committee as a guideline in evaluating proposals, and is not intended to identify all items within each category to be considered. The Selection Committee will award scores up to the maximum amounts identified for each criterion to result in a combined total of up to 100 points:

25 Points - Qualifications and Experience

Assessment of the Respondent and development team's qualifications and experience, particularly with residential projects of a similar nature as that proposed.

25 Points - Project Schedule / Readiness to Proceed

The project schedule and time frames are realistic and achievable. The project demonstrates the readiness to proceed in an expeditious manner following the award of SHIP funds. There are no apparent obstacles that will jeopardize the project schedule. The Project will deliver SHIP-assisted units/beneficiaries by June 30, 2024.

20 Points - Quality of Proposed Project

Assessment of project development plan, design features, unit finishes, site amenities, number of affordable units/income targeting, proximity to services and facilities, and green building/resiliency features.

20 Points - Financial Viability & Leveraging

Assessment of financial viability of project, including availability of development funding sources and reasonableness of uses, revenues/expenses, ability to repay debt and meet future physical needs, and likelihood of sustainable performance over time. Consideration given to level of SHIP subsidy requested per SHIP-assisted housing unit, and to leveraging of committed non-SHIP development funding sources.

5 Points - Geographic Preference

Projects located within a Census Tract with a poverty rate of no less than 20% (as determined by 2019 American Community Survey 5-Year Data Table S1701) will

receive five (5) points. These Census Tracts are identified in Exhibit H, and the data can be accessed here: https://data.census.gov/cedsci/advanced?t=Poverty

5 Points - Targeted Resident Populations Preference

Projects where no fewer than 50% of the total housing units will be occupied by Disabled Persons, Elderly Persons, or Veterans will receive five (5) points.

The Selection Committee shall tally individual scores to yield a total score for each project, and shall rank the projects from highest scoring to lowest scoring. In the event of a tie score among two or more highest scoring proposals, the below-listed criteria shall be applied to the tied proposals in sequence until a rank order is established among the proposals.

- 1. Proposal with both RFP scoring preferences (Geographic and Targeted Resident Population)
- 2. Proposal with one RFP scoring preference (Geographic OR Targeted Resident Population)
- 3. Proposal with higher score for Project Schedule / Readiness to Proceed scoring criterion
- 4. Proposal with higher score for Qualifications and Experience scoring criterion
- 5. Proposal with higher score for Quality of Proposed Project scoring criterion

B. Award Recommendation

The recommendation to award, if any, will be made to the Respondent whose proposal is considered to be most advantageous to the County as determined by vote of the Selection Committee. The Selection Committee may elect not to recommend the award of funding to any of the Respondents. The Department of Housing and Economic Development will post the award recommendation for review.

C. Funding Award

The Department of Housing and Economic Development will present the funding recommendation to the Palm Beach County Board of County Commissioners (BCC) at a public meeting. The BCC has the sole authority to modify, reject, or approve funding recommendations under this RFP, or to award to another Respondent.

D. Agreement Negotiations

After approval by the BCC, the County will enter into negotiations with the Respondent(s) awarded funding. If the County and the Respondent cannot successfully negotiate an agreement, the County may terminate said negotiations and the funding award, and may elect to initiate negotiations with the second highest ranked Respondent. This process may continue until an agreement(s) has been executed or until the County elects to terminate the process. No Respondent shall have any right against the County arising from such negotiations or termination.

E. Right to Protest

Any proposer who is aggrieved in connection with the recommended award of an RFP may submit a written protest via hand delivery, mail or email within three (3) business days following notice of the recommendation to award. The protest must be submitted to the designated RFP contact person and must contain identification of the RFP and the protestor, as well as a factual summary of the basis of the protest. The written protest is considered filed when it is received and date/time stamped. Only the issues submitted in writing within the period specified for the protest will be considered.

Upon receipt of a written protest, HED staff shall review the protest and any written material provided by the protestor, and submit a written summary of the protest along with a recommendation to the Department Director or designee as to the validity of the protest. The Department Director or designee shall have the authority to:

- 1. Deny the protest, based on the findings of the review; or
- 2. Uphold the protest, and recommend award to the next highest ranked proposer; provided however if the RFP is awarded to the next highest ranked proposer, new notice and protest provisions defined in the RFP shall apply.
- 3. Cancel the RFP.

The ruling of the Department Director or designee shall be final, unless the Respondent appeals it to a Special Master. If the protest is denied, the protestor may submit a written request of appeal, along with a \$1,500 non-refundable check, which shall be submitted in the form of a money order, cashier's check or a bank check payable to Palm Beach County, for costs associated with the engaging of a Special Master, to the designated RFP contact within three (3) business days of the issuance of the Department Director's written decision. If no appeal is submitted within the allotted time, the Department may proceed with the award process as provided in the RFP. Upon timely submittal of a written request of appeal, the designated RFP contact shall submit all documents relating to the protest, including the written decision, to the Director of Purchasing to be referred directly to a Special Master under contract with Palm Beach County in accordance with Section 2-55(c)(4) of the Palm Beach County Code. Notwithstanding the provisions of Section 2-55(c)(4) of the Palm Beach County Code, the request for a Special Master hearing shall be accompanied by a protest bond of \$1,500. Any costs associated with the engaging of a Special Master in excess of \$1,500, shall be the sole responsibility of the protestor. Special Master hearings shall be conducted in accordance with Countywide PPM CW-L-039, "Procurement Protest Hearings". The Special Master shall make a recommendation as to whether the protest should be upheld or denied. If the Special Master upholds the protest, the Special Master shall either make a recommendation to cancel the RFP, or to cancel the award recommendation and post a new award recommendation after re-evaluation based on the Special Master's determination of the facts in the case.

The Board of County Commissioners may accept or reject the decision of the Special Master in making its final funding determination.

EXHIBIT A:

2021 INCOME LIMITS CHART

2021 SHIP Income Limits for West Palm Beach – Boca Raton, FL HMFA Florida Housing Finance Corporation

Number of Persons in Household	Very Low Income 50% AMI	Low Income 80% AMI
1	\$30,000	\$47,950
2	\$34,250	\$54,800
3	\$38,550	\$61,650
4	\$42,800	\$68,500
5	\$46,250	\$74,000
6	\$49,650	\$79,500
7	\$53,100	\$84,950
8	\$56,500	\$90,450

EXHIBIT B:

2021 RENT LIMITS

FY2021 SHIP Rent Limits

Florida Housing Finance Corporation

Number of Bedrooms in Unit	Very Low Income (50% AMI Units)	Low Income (80% AMI Units)
Efficiency	\$750	\$1,198
1	\$803	\$1,284
2	\$963	\$1,541
3	\$1,113	\$1,781
4	\$1,241	\$1,987
5	\$1,370	\$2,192

EXHIBIT C:

RESPONDENT CERTIFICATION FORM

By signing below, the undersigned _		_, as
	of	(the
	i.e. Florida corporation he	ereby
rtifies that the undersigned is duly authorized to sign this Respondent Certification Form on beha		
of the Respondent and that this Responder	nt Certification Form shall be fully binding upon Respon	dent.
Respondent hereby covenants and agrees to comply with the terms upon RFP HED.2022.1, all related rederal Regulations, and related Addenda and to attempt to negotiate in good faith with the Count		
Respondent further covenants and agrees	that it has received all of the information referenced i	n the
RFP, that Respondent fully understands	the same, that Respondent completely and accur	rately
completed the response submitted by Resp	ondent pursuant to the RFP, that the information cont	ained
in such response submitted by Responden	t is true and correct and that Respondent shall be bou	nd by
the terms and conditions of the RFP and	the covenants, agreements and representations made	de by
Respondent herein and in the response su	bmitted by Respondent to the RFP.	
Date of Execution by Respondent:	, 2022.	
	Ву:	
RESPONDENT	Signature	
Its: SEAL	Print Signatory's Name	
SEAL	Print Signatory's Name	
The foregoing Respondent Certification Fo	rm was acknowledged before me this day o	f
	the	
	state and type of entity), who is personally known to n	ne OF
who produced	as identification and who did take an o	ath.
	NOTARY PUBLIC	
Notary Public	_	
	State ofat la	ırge
Print Notary Name	— My Commission Expires	

EXHIBIT D:

DISCLOSURE OF BENEFICIAL INTERESTS

(REQUIRED BY FLORIDA STATUTES 286.23)

TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA COUNTY OF PALM BEACH BEFORE ME, the undersigned authority, this day personally hereinafter referred to an Affiant who being by me first duly sworn, under oath, deposes and states as follows: Affiant is the which entity is the Lead Entity for the Respondent to Palm Beach County Request for proposals Number 2. Affiant's address is: Attached hereto, and made a part thereof, as an Attachment is a complete listing 3. of the names and addresses of every person or entity having a five percent (5%) or greater beneficial interest in the proposed SHIP project and the percentage interest of each such person or entity. 4. Affiant acknowledges that this Affidavit is given to comply with Florida Statutes 286.23, and will be relied upon by Palm Beach County. 5. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit 6. and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYE	TH NAUGHT.	
Ву:		, Affiant
The foregoing instrument	t was sworn to, subscribed and	acknowledged before me this day
of	, 2022, by	, who is personally
		as identification and who did
(NOTARY SEAL BELOW)		
	Notary Name:	
		Notary Public State of Florida

ATTACHMENT TO DISCLOSURE OF BENEFICIAL INTERESTS

SCHEDULE TO BENEFICIAL INTERESTS IN PROJECT PROPOSAL

Affiant is only required to identify five percent (5%) or greater beneficial interest holders in the proposed SHIP project. If none, so state. Affiant must identify individual owners. If, by way of example, the proposed project is wholly or partially owned by another entity, such as a corporation, Affiant must identify such other entity, its address and percentage interest, as well as such information for the individual owners of such other entity.

NAME	ADDRESS	PERCENTAGE OF INTEREST

EXHIBIT E:

DISCLOSURE OF RELATIONSHIPS WITH COUNTY

TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA COUNTY OF PALM BEACH

BEFO	RE ME, the undersigned authority, this day personally appeared hereinafter referred to an Affiant who being by me first duly sworn,
unde	r oath, deposes and states as follows:
1.	Affiant is the which entity is the Lead
	Entity for the Respondent to Palm Beach County Request for proposals Number
2.	Affiant's address is:
3.	Attached hereto, and made a part thereof, as an Attachment is a complete listing of the names and addresses of every officer, director, or agent of the Respondent who is also an employee of Palm Beach County, and the names and addresses of every County official or employee who owns, directly or indirectly, an interest in the Respondent's firm or any of its affiliates.
4.	Affiant acknowledges that this Affidavit will be relied upon by Palm Beach County.
5.	Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
6.	Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.
FURT	HER AFFIANT SAYETH NAUGHT.
Ву:	, Affiant
of	regoing instrument was sworn to, subscribed and acknowledged before me this day, 2022, by, who is personally
	n to me OR who produced as identification and who did n oath.
NOTA	RY SEAL BELOW) Notary Signature:
	Notary Name:

Notary Public State of Florida

ATTACHMENT TO DISCLOSURE OF RELATIONSHIPS WITH COUNTY

Affiant shall list the names and addresses of every officer, director, or agent of the Respondent who is also an employee of Palm Beach County, and the names and addresses of every County official or employee who owns, directly or indirectly, an interest in the Respondent's firm or any of its affiliates.

NAME	ADDRESS	RELATIONSHIP

EXHIBIT F:

DRUG FREE WORKPLACE CERTIFICATION

Preference shall be given to businesses with drug-free workplace programs. Pursuant to Section 287.087, Florida Statutes, whenever two or more competitive solicitations that are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a response received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie responses will be followed if none of the tied providers has a drug free workplace program. In order to have a drug-free workplace program, a business shall:

- Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- 3. Give each employee engaged in providing the commodities or contractual services that are under proposal a copy of the statement specified in Subsection (1).
- 4. In the statement specified in Subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or *nolo contendere* to, any violation of Chapter 894, Florida Statutes, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5. Impose a sanction on any employee who is so convicted or require the satisfactory participation in a drug abuse assistance or rehabilitation program as such is available in the employee's community.
- 6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of applicable laws, rules and regulations.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

BUSINESS NAME	PROVIDER'S SIGNATURE

EXHIBIT G:

PALM BEACH COUNTY LOBBYIST REGISTRATION ORDINANCE

Sec. 2-351. - Title and purpose.

- (a) This article may be cited as the "Palm Beach County Lobbyist Registration Ordinance."
- (b) The board of county commissioners of the county and the governing bodies of the municipalities located within the county hereby determine that the operation of responsible government requires that the fullest opportunity be afforded to the people to petition their county and local governments for the redress of grievances and to express freely to the elected officials their opinions on legislation and other actions and issues; that to preserve and maintain the integrity of the governmental decision-making process, it is necessary that the identity and activities of certain persons who engage in efforts to influence the county commissioners, members of the local municipal governing bodies, mayors or chief executive officers that are not members of local municipal governing bodies, county and municipal advisory board members, and county and municipal employees on matters within their official duties, be publicly and regularly disclosed. In accordance with Section 1.3 of the County Charter, this article shall not apply in any municipality that has adopted an ordinance in conflict governing the same subject matter.

(Ord. No. 03-018, § 1, 5-20-03; Ord. No. 2011-039, § 1(Exh. 1), 12-20-11)

Sec. 2-352. - Definitions.

Unless expressly provided herein to the contrary, for purposes of this article, the following definitions will apply:

Advisory board shall mean any advisory or quasi-judicial board created by the board of county commissioners, by the local municipal governing bodies, or by the mayors who serve as chief executive officers or by mayors who are not members of local municipal governing bodies.

Board will mean the board of county commissioners of Palm Beach County, Florida.

County commissioner will mean any member of the board of county commissioners of Palm Beach County, Florida.

Central lobbyist registration site will mean the official location for countywide lobbyist registration.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.

Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government. "Lobbyist" shall not include:

(1) Any employee, contract employee, or independent contractor of a governmental agency or entity lobbying on behalf of that agency or entity, any elected local official when the official is lobbying on behalf of the governmental agency or entity which the official serves, or any member of the

- official's staff when such staff member is lobbying on an occasional basis on behalf of the governmental agency or entity by which the staff member is employed.
- (2) Any person who is retained or employed for the purpose of representing an employer, principal or client only during a publicly noticed quasi-judicial hearing or comprehensive plan hearing, provided the person identifies the employer, principal or client at the hearing.
- (3) Any expert witness who is retained or employed by an employer, principal or client to provide only scientific, technical or other specialized information provided in agenda materials or testimony only in public hearings, so long as the expert identifies the employer, principal or client at the hearing.
- (4) Any person who lobbies only in his or her individual capacity for the purpose of self-representation and without compensation.
- (5) Any employee, contract employee, or independent contractor of the Palm Beach County League of Cities. Inc. lobbying on behalf of that entity.

Local municipal governing body will mean the councils and commissions of the municipalities located within Palm Beach County, Florida.

Member of local municipal governing body will mean any member of the municipal council or commission.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid. The term "employee" includes but is not limited to all managers, department heads and personnel of the county or the municipalities located within the county. The term also includes contract personnel and contract administrators performing a government function, and chief executive officer who is not part of the local governing body. The term "official" shall mean members of the board of county commissioners, a mayor, members of local municipal governing bodies, and members appointed by the board of county commissioners, members of local municipal governing bodies or mayors or chief executive officers that are not members of local municipal governing body, as applicable, to serve on any advisory, quasi judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity.

Palm Beach County Commission on Ethics means the commission established in section 2-254 et seq. to administer and enforce the ethics regulations set forth herein, and may also be referred to as the "commission on ethics" in this article.

Persons and entities shall be defined to include all natural persons, firms, associations, joint ventures, partnerships, estates, trusts, business entities, syndicates, fiduciaries, corporations, and all other organizations.

Principal shall mean the person or entity a lobbyist represents, including a lobbyist's employer or client, for the purpose of lobbying.

(Ord. No. 03-018, § 2, 5-20-03; Ord. No. 03-055, Pt. I, 11-18-03; Ord. No. 2009-051, pt. 2, 12-15-09; Ord. No. 2011-039, § 1(Exh. 1), 12-20-11)

Sec. 2-353. - Registration and expenditures.

(a) Registration required. Prior to lobbying, all lobbyists shall submit an original, fully executed registration form to county administration, which shall serve as the official location for countywide lobbyist registration and which shall be known as the "central lobbyist registration site." The registration may be submitted in paper or electronic form pursuant to countywide policies and procedures. Each lobbyist

is required to submit a separate registration for each principal represented. A registration fee of twenty-five dollars (\$25.00) must be included with each registration form submitted. A registrant shall promptly send a written statement to county administration canceling the registration for a principal upon termination of the lobbyist's representation of that principal. This statement shall be signed by the lobbyist. Lobbying prior to registration is prohibited. It is the responsibility of the lobbyist to keep all information contained in the registration form current and up to date.

- (b) Registration form. The registration form shall be prepared by county administration and shall require the following information:
 - (1) The name, phone number and address of the lobbyist;
 - (2) The name, phone number and address of the principal represented;
 - (3) The date the lobbyist was initially retained by the principal;
 - (4) The nature and extent of any direct business association or partnership the lobbyist and principal might have with any current county commissioner, member of a local municipal governing body, mayor or chief executive office that is not a member of a local municipal governing body, advisory board member, or employee;
 - (5) The area of legislative interest;
 - (6) A statement confirming that the registrant is authorized to represent the principal;
 - (7) Signatures of both the registrant and principal where such signatures may be made electronically pursuant to countywide policies and procedures; and
 - (8) The county or municipalities to be lobbied.
- (c) Registration exceptions. Registration shall not be required for the following:
 - (1) Persons under contract with the county or municipalities as applicable who communicate with county commissioners, members of local municipal governing bodies, mayors or chief executive officers that are not members of a local municipal governing body, advisory board members or employees regarding issues related only to the performance of their services under their contract;
 - (2) Any attorney representing a client in an active or imminent judicial proceeding, arbitration proceeding, mediation proceeding where a mediator is present, or formal administrative hearing conducted by an administrative law judge in the division of administrative hearings, in which the county or municipality as applicable is a party, who communicates with county or municipal attorneys on issues related only to the subject matter of the judicial proceeding, arbitration proceeding, mediation proceeding, or formal administrative hearing. This exception to the registration requirement includes communications with other government officials and employees conducted during depositions, mediation, arbitration hearings or trial, judicial hearings or trial, and settlement negotiations for active litigation, so long as the county or municipal attorneys are present for those communications.
- (d) Reporting of expenditures. Commencing November 1, 2011, and by November 1 of each year thereafter, all lobbyists shall submit to the central lobbyist registration site a signed statement under oath listing all expenditures made by the lobbyist in lobbying county or municipal officials and employees in excess of twenty-five dollars (\$25.00) for the preceding fiscal year commencing on October 1 and ending on September 30. A statement shall be filed even if there have been no expenditures during the reporting period. The statement shall list in detail each expenditure category, including food and beverage, entertainment, research, communications, media advertising, publications, travel, lodging and special events. Political contributions and expenditures which are reported under election laws as well as campaign-related personal services provided without compensation are excluded from the reporting

requirements. A lobbyist or principal's salary, office overhead expenses and personal expenses for lodging, meals and travel also are excluded from the reporting requirements. Research is an office expense unless it is performed by independent contractors rather than by the lobbyist or the lobbyist's firm.

- (1) The county administrator of the central lobbyist registration site shall provide notice of violation to any lobbyist who fails to timely file an expenditure report and shall also notify the county commission on ethics of this failure. In addition to any other penalties which may be imposed under this article, any lobbyist who fails to file the required expenditure report within thirty (30) days of the date of notice of violation shall be suspended from lobbying unless the notice of violation has been appealed to the commission on ethics.
- (e) False statements. A lobbyist shall not knowingly make, or cause to be made, a false statement or misrepresentation in maintaining registration or when lobbying county commissioners, members of local municipal governing bodies, mayors or chief executive officers that are not members of local municipal governing bodies, advisory board members, or employees.
- (f) Existing county registrations. All registrations on file and in effect with the county before the effective date of this ordinance shall remain in full force and effect.

(Ord. No. 03-018, § 3, 5-20-03; Ord. No. 03-055, Pt. II, 11-18-03; Ord. No. 2009-051, pt. 2, 12-15-09; Ord. No. 2011-039, § 1(Exh. 1), 12-20-11)

Sec. 2-354. - Record of lobbying contacts.

- (a) Contact log. Except when appearing before the board, local municipal governing body, or any advisory board, all persons shall sign, for each instance of lobbying, contact logs maintained and available in the office of reception of each department of county or municipal government as applicable. The person shall provide his or her name, whether or not the person is a lobbyist as defined in this article, the name of each principal, if any, represented in the course of the particular contact, and the subject matter of the lobbying contact. All contact logs shall be maintained by the county or municipality as applicable for a period of five (5) fiscal years.
- (b) Lobbying outside of county or municipal offices. In the event that a lobbyist engages in lobbying which is outside of county or municipal offices as applicable, and which is a scheduled appointment initiated by any person for the purpose of lobbying, the lobbyist shall advise in writing the commissioner's office, the member of a local municipal governing board's office, the mayor or chief executive officer's office, the advisory board member's office, or the employee's department office as appropriate of the calendar scheduling of an appointment and the subject matter of the lobbying contact.

(Ord. No. 03-018, § 4, 5-20-03; Ord. No. 2011-039, § 1(Exh. 1), 12-20-11)

Sec. 2-355. - Cone of silence.

- (a) "Cone of silence" means a prohibition on any communication, except for written correspondence, regarding a particular request for proposal, request for qualification, bid, or any other competitive solicitation between:
 - (1) Any person or person's representative seeking an award from such competitive solicitation; and
 - (2) Any county commissioner or commissioner's staff, any member of a local governing body or the member's staff, a mayor or chief executive officer that is not a member of a local governing body

- or the mayor or chief executive officer's staff, or any employee authorized to act on behalf of the commission or local governing body to award a particular contract.
- (b) For the purposes of this section, a person's representative shall include but not be limited to the person's employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.
- (c) The cone of silence shall be in effect as of the deadline to submit the proposal, bid, or other response to a competitive solicitation. The cone of silence applies to any person or person's representative who responds to a particular request for proposal, request for qualification, bid, or any other competitive solicitation, and shall remain in effect until such response is either rejected by the county or municipality as applicable or withdrawn by the person or person's representative. Each request for proposal, request for qualification, bid or any other competitive solicitation shall provide notice of cone of silence requirements and refer to this article.
- (d) The provisions of this article shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, contract negotiations during any public meeting, presentations made to the board or local municipal governing body as applicable, and protest hearings. Further, the cone of silence shall not apply to contract negotiations between any employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any employee, or any written correspondence at any time with any employee, county commissioner, member of a local municipal governing body, mayor or chief executive officer that is not a member of the local municipal governing body, or advisory board member or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.
- (e) The cone of silence shall not apply to any purchases made in an amount less than the competitive bid threshold set forth in the county purchasing ordinance (County Code, chapter 2, article III, division 2, part A, section 2-51 et seq.) or municipal ordinance as applicable.
- (f) The cone of silence shall terminate at the time the board, local municipal governing body, or a county or municipal department authorized to act on behalf of the board or local municipal governing body as applicable, awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the solicitation process.
- (g) Any contract entered into in violation of the cone of silence provisions in this section shall render the transaction voidable.

(Ord. No. 03-018, § 5, 5-20-03; Ord. No. 03-055, Pt. 3, 11-18-03; Ord. No. 2009-051, pt. 2, 12-15-09; Ord. No. 2011-039, § 1(Exh. 1), 12-20-11)

Sec. 2-356. - Enforcement.

(a) If the county administrator or municipal administrator as applicable is informed of any person who has failed to comply with the requirements of this article, he or she shall conduct a preliminary investigation as deemed necessary under the circumstances. In the event the county administrator or municipal administrator as applicable determines that a violation may have occurred based on the results of the investigation, the county administrator or municipal administrator as applicable shall forward the matter to the county commission on ethics for further investigation and enforcement proceeding as set forth in article XIII of this chapter, the countywide code of ethics. For the purposes of further investigation and enforcement by the commission on ethics, a complaint submitted under this subsection by the county administrator or municipal administrator shall be deemed legally sufficient.

(b) The commission on ethics may process any other legally sufficient complaints of violations under this article pursuant to the procedures established in article XIII of this chapter.

(Ord. No. 03-018, § 6, 5-20-03; Ord. No. 2009-051, pt. 2, 12-15-09; Ord. No. 2010-043, pt. 6, 9-28-10; Ord. No. 2011-039, § 1(Exh. 1), 12-20-11)

Sec. 2-357. - Penalties.

Violations of this article shall be punishable as follows:

- (1) Failure to properly register as required by section 3-353 of this article shall be deemed a single violation, punishable by a fine of two hundred fifty dollars (\$250.00) per day for each day an unregistered lobbyist engages in lobbying activity, in an amount not to exceed a total of two thousand five hundred dollars (\$2,500.00).
- (2) Failure to properly provide lobbying contact information as required by section 2-354 of this article shall be punishable by a fine of two hundred fifty dollars (\$250.00) for each violation.
- (3) Violations of the cone of silence set forth in section 2-355 of this article shall be punishable by a fine of two hundred fifty dollars (\$250.00) for each violation.
- (4) Any person who knowingly makes or causes to be made a false statement or misrepresentation in maintaining a lobbyist registration shall be subject to a fine of two hundred fifty dollars (\$250.00) for each violation.
- (5) Any person who violates the provisions of this article more than once during a twelve-month period shall be prohibited from lobbying as follows: A second violation shall result in a prohibition of one (1) year; a third violation shall result in a prohibition of two (2) years.
- (6) The penalties provided in this section shall be exclusive penalties imposed for any violation of the registration, contact log, and cone of silence requirements of this article. Willful and knowing violations of this article shall be referred by the commission on ethics to the state attorney for prosecution in the same manner as a first degree misdemeanor pursuant to F.S. § 125.69. Failure or refusal of any lobbyist to comply with any order of the commission on ethics shall be punishable as provided by law, and shall otherwise be subject to such civil remedies as the county or municipality as applicable may pursue, including injunctive relief.

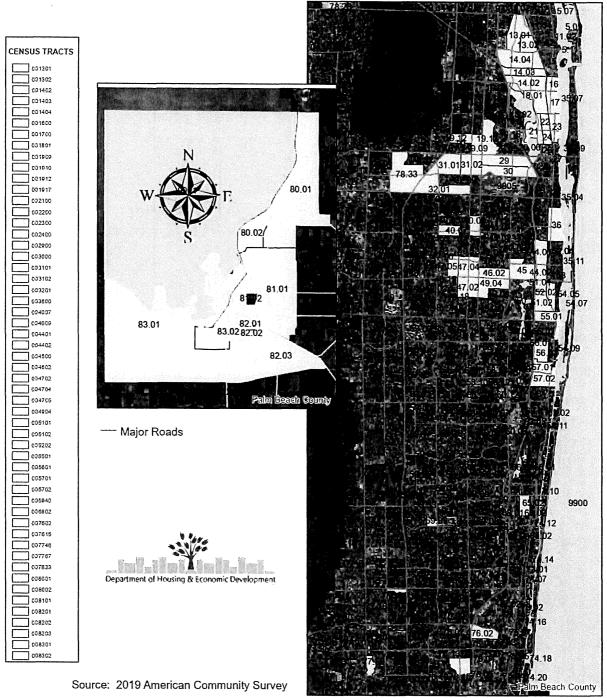
(Ord. No. 03-018, § 7, 5-20-03; Ord. No. 2009-051, pt. 2, 12-15-09; Ord. No. 2011-039, § 1(Exh. 1), 12-20-11)

Secs. 2-358-2-370. - Reserved

EXHIBIT H:



Palm Beach County Census Tracts Poverty Levels >20%





Addendum No. 1 to RFP HED.2022.1

Request for Proposals (RFP) SHIP Multifamily Development

Date Addendum No. 1 Issued:

March 16, 2022

RFP Contact:

Carlos Serrano Housing & Economic Development 100 Australian Avenue, Suite 500 West Palm Beach, FL 33406

Phone: 561-233-3608

E-mail: cserrano@pbcgov.org

PURPOSE OF THIS ADDENDUM:

The purpose of this Addendum is to:

- 1. Revise the RFP to add overall income targeting requirements; and
- 2. Correct a scrivener's error.

GENERAL INSTRUCTIONS:

- This Addendum No. 1 constitutes an integral part of the RFP and shall be read in conjunction with the RFP.
- Where inconsistent with the original RFP, this Addendum shall govern.
- It is the responsibility of all respondents to the RFP to conform to this Addendum.
- Unless specifically changed herein, all other requirements, terms and conditions of the RFP remain unchanged and can only be modified if in writing.

Addendum No. 1: RFP HED.2022.1

Page 1 of 4

• Respondents shall acknowledge receipt of this Addendum on the form included with this Addendum as Exhibit A. Respondents shall include Exhibit A in their submittal in response to the RFP as **Attachment 21**

REVISIONS TO THE RFP

1. Respondents are directed to Section I.H, Eligible Beneficiaries. The highlighted text below shall be inserted:

H. Eligible Beneficiaries

All SHIP-Assisted Housing Units must be set aside exclusively for Eligible Beneficiaries during the Period of Affordability, that is for Low Income and Very Low Income households.

At least twenty-five percent (25%) of the SHIP-Assisted Housing Units must be set aside for Very Low Income households. Prospective tenants referred through Palm Beach County Community Services Department's coordinated entry system must be given first priority for no less than half of the Very Low Income units in Multifamily Housing projects.

In addition, the project as a whole must meet the following overall income targeting requirements:

- No less than twenty prevent (20%) of the total number of housing units in the project shall be set aside for Very Low Income tenants (income no greater than 50%AMI).
- No more than thirty percent (30%) of the total number of housing units in the project may be set aside for tenants with incomes greater than 80% AMI.

FHFC's 2021 income limits are set forth in Exhibit A.

2. Respondents are directed to Section II.F, Submittal Deadline. The highlighted text below shall be inserted:

F. Submittal Deadline

Completed proposal submittal must be received by HED <u>no later than 4:00p.m.</u> <u>Monday, April 18, 2022</u>, at HED offices located at 100 Australian Avenue, Suite 500, West Palm Beach, FL 33406.

Addendum No. 1: RFP HED.2022.1

Page 2 of 4

EXHIBIT A

to

Addendum No. 1

to

RFP HED.2022.1

Addendum No. 1: RFP HED.2022.1

Page 3 of 4

ADDENDUM ACKNOWLEDGEMENT FORM

to

Addendum No. 1

to

RFP HED.2022.1

By signing this Form, Respondent acknowledges receipt of this Addendum No. 1 to RFP HED.2022.1.

Respondents shall include this Acknowledgement Form as Attachment 21 to their proposal.

This Addendum consists of four (4) pages.

Respondent:		
By Name & Title:		
Signed:	Date:	

Addendum No. 1: RFP HED.2022.1

Page 4 of 4



Addendum No. 2 to RFP HED.2022.1

Request for Proposals (RFP) SHIP Multifamily Development

Date Addendum No. 2 Issued:

April 4, 2022

RFP Contact:

Carlos Serrano Housing & Economic Development 100 Australian Avenue, Suite 500 West Palm Beach, FL 33406

Phone: 561-233-3608

E-mail: cserrano@pbcgov.org

PURPOSE OF THIS ADDENDUM:

The purpose of this Addendum is to:

1. Add a scoring preference for projects committing to additional rent restrictions.

GENERAL INSTRUCTIONS:

- This Addendum No. 2 constitutes an integral part of the RFP and shall be read in conjunction with the RFP.
- Where inconsistent with the original RFP, this Addendum shall govern.
- It is the responsibility of all respondents to the RFP to conform to this Addendum.
- Unless specifically changed herein, all other requirements, terms and conditions of the RFP remain unchanged and can only be modified if in writing.
- Respondents shall acknowledge receipt of this Addendum on the form included with this Addendum as Exhibit A. Respondents shall include Exhibit A in their

Addendum No. 2: RFP HED.2022.1 Page 1 of 4

REVISIONS TO THE RFP

1. Respondents are directed to Section I.J – Affordable Rental Rates. The highlighted text below shall be inserted:

For Multifamily Housing, affordable rents must not exceed the rent limit established by FHFC for Very Low Income and Low Income households for the applicable housing unit size. FHFC's most recent available SHIP rent limits are set forth in Exhibit B. SHIP rent limits are subject to annual adjustment by FHFC. This RFP shall give scoring preference to projects which voluntarily commit to further restrict rents in SHIP-Assisted Housing Units beyond the mandatory FHFC rent limits. Projects that restrict rents in all SHIP-Assisted Housing Units to no more than 30% of tenant household income will receive scoring preference as set forth in Section III.A. herein. The rent amount would be based on a prospective tenant's total household income and calculated at the time of application to lease. If a Respondent's proposal commits to this rent restriction and is awarded SHIP funding, the restriction will be imposed via the loan agreement, and DHED will monitor for compliance during the Period of Affordability.

2. Respondents are directed to Section III.A. – *Proposal Selection and Evaluation*. The highlighted text below shall be revised/inserted:

The following criteria will be used by the Selection Committee as a guideline in evaluating proposals, and is not intended to identify all items within each category to be considered. The Selection Committee will award scores up to the maximum amounts identified for each criterion to result in a combined total of up to 105 points:

5 points - Voluntary Rent Restriction

Projects that voluntarily commit to restrict rents in all SHIP-Assisted Housing Units to no greater than 30% of tenant household income will receive five (5) points.

Addendum No. 2: RFP HED.2022.1 Page 2 of 4

EXHIBIT A

to

Addendum No. 2

to

RFP HED.2022.1

Addendum No. 2: RFP HED.2022.1 Page 3 of 4

ADDENDUM ACKNOWLEDGEMENT FORM

to

Addendum No. 2

to

RFP HED.2022.1

By signing this Form, Respondent acknowledges receipt of this Addendum No. 2 to RFP HED.2022.1.

Respondents shall include this Acknowledgement Form as Attachment 22 to their proposal.

This Addendum consists of four (4) pages.

Respondent:		
By Name & Title:	·	
Signod:	Date	

Addendum No. 2: RFP HED.2022.1 Page 4 of 4

Attachment 2A | Project Description

Development Category – Affordable Residential Housing, New Construction

Development Type – Midrise (four floors) and Garden Style (three floors) composed of 124-units in three buildings

Wells Landing lies in the heart of Boynton Beach, on the N and S Side of Martin Luther King Jr Blvd, East of Intersection of N Seacrest Blvd, and on NE 11 Ave at the SW Corner of NE 1st Street, Boynton Beach.

Integration of the History and Culture:

- Reviewed the BBCRA Redevelopment Plan
- Added Urban Design Concepts in keeping with the History of MLK Blvd "Old Florida" and "Caribbean influence", the new design concept labeled "Floribbean"
- Front porches, metal roofs, beautiful pastel colors, retail catering to local residents
- Create an Art Wall of Local Artists to participate in "Art in Public Places"
- Architecture of the buildings is tropical in nature and incorporates elements of period derived architectural elements reminiscent of the turn of the century South Florida life.

Revitalize Retail on MLK

- Our plan will contribute to the goal of revitalization of the MLK Corridor through a design of residential and commercial use targeted to benefit local neighbors
- Approx. 8,000 square feet of retail space.
- Possible tenants may include a barbershop, an ice-cream shop, a medical care facility, casual dining or a trendy coffee shop, etc.

Numbers & Types of Buildings:

- Building One (North)
- o Garden Style
- o 3-Floors
- o 24-Units
- o Included Commercial Space
- Building Two (Southeast)
- o Mid-Rise
- o 4-Floors
- o 64-Units
- Building Three (Southwest)
- o Mid-Rise
- o 4-Floors
- o 36-Units

Site Amenities

- One hundred twenty-four (124) 1, 2, and 3-Bedroom Units
- Mobility and Audio/Visual designated Units
- Clubhouse with Fitness and Leasing Center
- Loading trash chute
- · Paver sidewalks with on street & lighted parking,
- Electric vehicle charge stations,
- Outdoor seating area,
- Large partially covered plaza
- Approximately 8,000 square feet of retail space,
- Covered bicycle racks

Description of Features

- Unit Features
- o Wood cabinets
- o Granite, Quartz or Similar Countertops
- o Tile Flooring
- o Large Walk-In Closets
- o Washer & Dryer Connections
- o Window Treatments
- o Cable or Satellite TV Connections
- Lever Handle Doors, Faucets, and Kitchen Sinks
- · Green Features
- o Project is committed to being National Green Building Standard (NGBS) Certified
- Project has engaged Energy Cost Solution Group LLC to provide consulting and verification services for Certification under the National Green Building Standard
- o High efficiency 15 SEER Air Conditioning Units
- Energy Star Appliance Package
- o WaterSense Plumbing Fixtures
- o Energy Star Lighting Fixtures
- o Energy Efficient Hurricane Impact Windows & Sliding Glass Doors
- o Energy Star Ventilation Fans
- o Programmable Thermostats
- o Low or No-VOC Paint for all interior walls
- · General Features
- o Termite and Pest Control
- o Coverings for all windows and doors
- o Reinforced walls around tub, shower, and toilet (with grab bars installed at tenant's request)

Target Residential Population

Centennial Management Corp is a Fair Housing Developer. Wells Landing, an affordable multifamily development, will be a Family Demographic project. The Project is located within the City of Boynton Beach in Palm Beach County. The population targeted is proximal to the site and includes local and regional low-income renters. Our proposed development will not exceed 60.00% Average Area Median Income on the overall project. 20.16% of the Total Units (25 units) will be restricted to Very Low Income (VLI) households (50% or less of Area Median Income) and all SHIP units will be restricted to maximum 30% of AMI.

Our proposal includes 124 units contributed as:

21 Units at 30% AMI - Alf 21 proposed SHIP assisted units will be limited to 30% of AMI

- 4 Units at 50% AMI
- 32 Units at 60% AMI
- 67 Units at 70% AMI

According to the Market Study submitted in Attachment 3 of this RFA, prepared by Meridian Appraisal Group, within a 3-mile radius of the site there are 9,922 income-qualified households (43,139 total households). Within a 5-mile radius of the site there are 19,948 income-qualified households (91,926 total households). And within a 10-mile radius of the site there are 62,297 income-qualified households (288,414 total households). Additionally, approximately 42% of households within a 10-mile radius earn less than \$50,000 annually with average households size of 2.3 persons or greater. Lastly, the population within a 10-mile radius is expected to grow over 6% through 2025.

Proposed Rents

Beds	Baths	No. of Units	Approx . Unit Size (SF)	Median Income %	2021 Max. Gross HC Rents	2021 Utility Allowanc e	Max Net HC Rents	Annual Revenue
ļl								
1	1	4	691	30%	\$482	\$124	\$358	\$17,184
2	2	13	910	30%	\$578	\$171	\$407	\$63,492
3	2	4	1,105	30%	\$719	\$234	\$485	\$23,280
1	····	1	691	50%	\$803	\$124	\$679	\$8,148
2		2	910	50%	\$963	\$171 \$234	\$792	\$19,008 \$10,548
3	2	1	1,105	50%	\$1,113		\$879	
1	1	4	691	60%	\$963	\$124	\$839	\$40,272
2	2	24	910	60%	\$1,156	\$171	\$985	\$283,680
3	2	4	1,105	60%	\$1,335	\$234	\$1,101	\$52,848
1	1	15	691	70%	\$1,124	\$124	\$1,000	\$179,910
2	2	37	910	70%	\$1,349	\$171	\$1,178	\$522,884
3	2	15	1,105	70%			\$1,324	\$238,230
Total								
s		124						\$1,459,484

	All U	nits		Very Low Income Units 20% Min at 50% AMI				
Unit	nit Est. % of		Rounde	Require				
Туре	Total	Units	d	d	Provided	ELI (30%)	VLI (50%)	
1x1	20.0%	24.8 24		4.8	5	4	1	
2x2	60.0%	74.4	76	15.2	15	13	2	
3x2	20.0%	24.8	24	4.8	5	4	11	
TOTAL	TOTAL S 124 124							
S			124	24.80	25.00	21.00	4.00	
					100% of			
				20.00%	20.16%	SHIP		

Income Distribution									
AMI	Units	% of Units							
20%	0	0.00%							
25%	0	0.00%							
28%	0	0.00%							
30%	21	16.94%							
40%	0	0.00%							
50%	4	3.23%							
60%	32	25.81%							
70%	67	54.03%							
80%	00	0.00%							
Total:	124	100.00%							
Aver									
AMI	60.00	%							

Number of SHIP-Assisted Housing Units by Unit Size and Designated Income Set Aside

SHIP Subsidy Calculation

70,000 Max per unit for all units up to and including 2 Beds

80,000 Max per unit for all units 3 Beds and up

35,108,539 Total Dev. Budget

1,499,500 SHIP Request

4.27% SHIP Percentage of Total Development Cost

21 Total SHIP Units

25 20.16% of All Units at 50% of AMI or less (VLI)

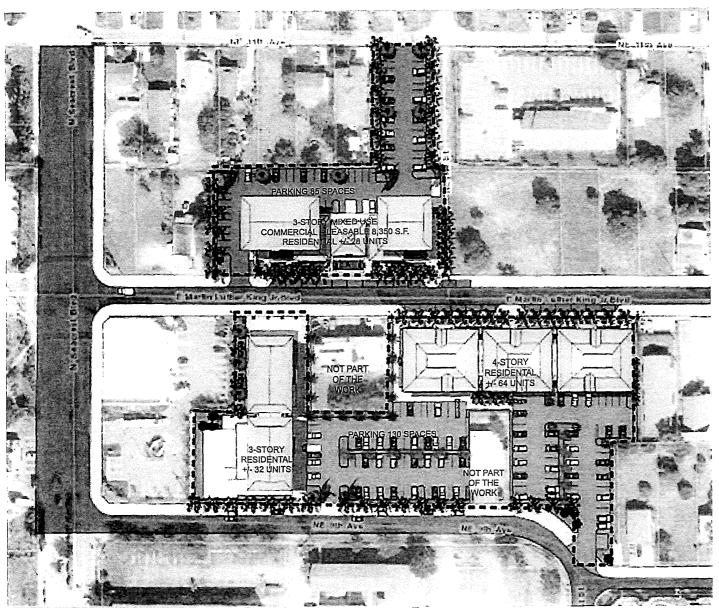
21 All SHIP Units at 30% ELI for additional 5 points

	SHIP-Assisted Housing Units										
Unit Type	Total Units	% Total Units	SHIP Units	% SHIP Units	VLI SHIP Units (Min 20% of All Units)	% Total VLI Units	SHIP Units Commited at 30% AMI	Fu	SHIP inds/Unit equested	SHIP Funds Requested	
1x1	24	19.4%	4.0	19.0%	5.0	20.83%	4.0	\$	69,500	\$278,000	
2x2	76	61.3%	13.0	61.9%	15.0	19.74%	13.0	\$	69,500	\$903,500	
3x2	24	19.4%	4.0	19.0%	5.0	20.83%	4.0	\$	79,500	\$318,000	
TOTALS	124	100%	21.0	100.0%	25.0	20.16%	21.0			\$1,499,500	

16.94%

20.16%

16.94%



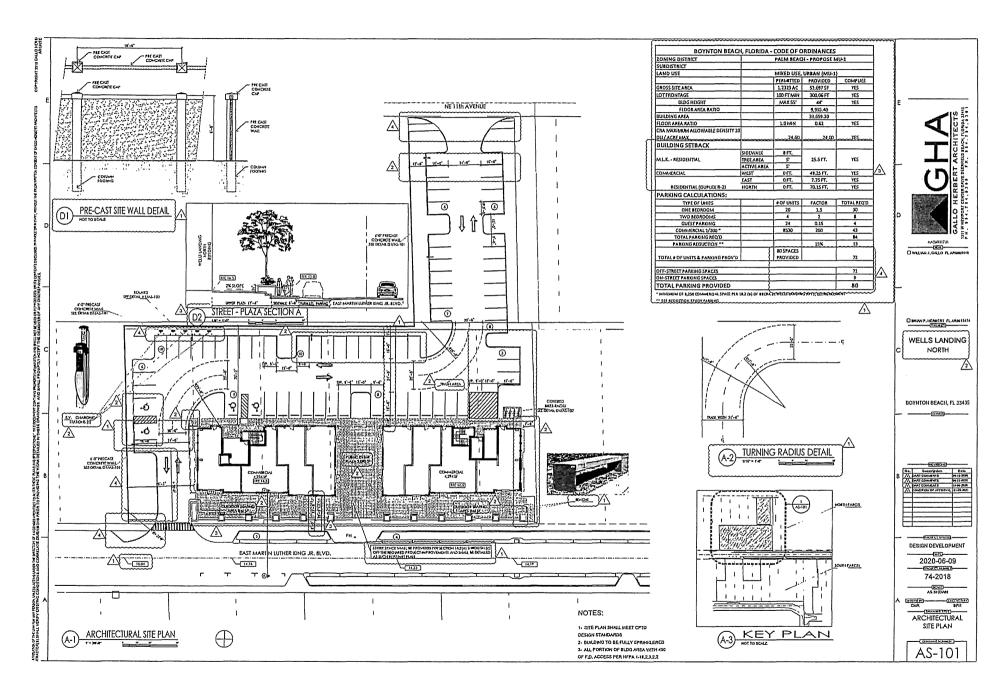
CONCEPTUAL SITE PLAN FOR:

WELLS LANDING BOYNTON BEACH, FL

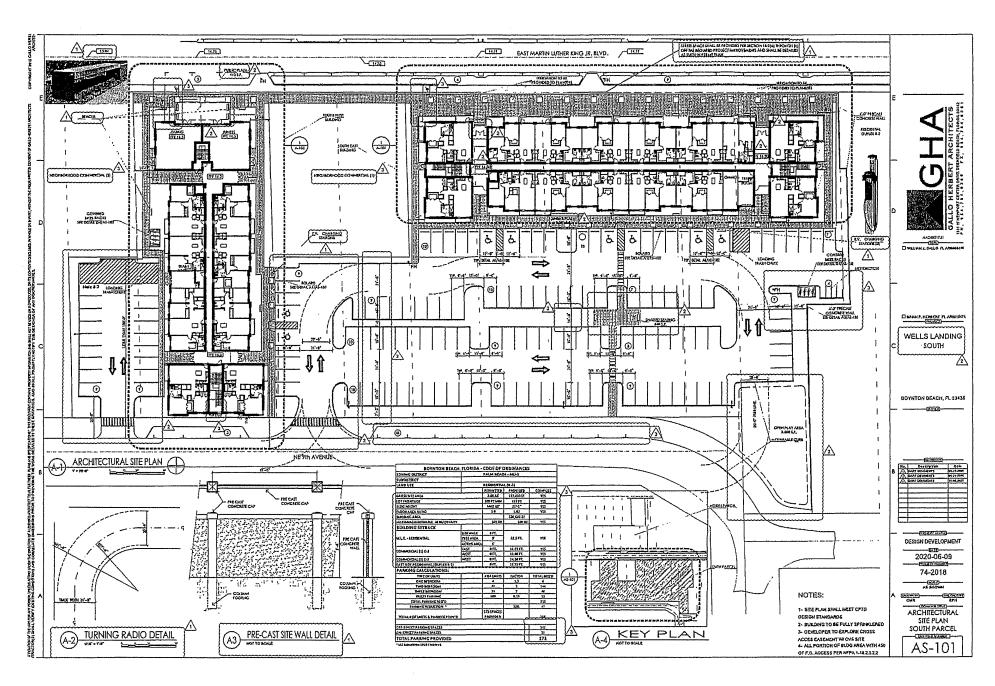
WELL'S LANDING SITE CALCULATIONS	SPACES
NORTH PARCEL	81
8,350 S.F. COMMERCIAL LEASABLE SPACE RETAIL (1/250 S.F.)	34
28 RESIDENTAL UNITS (1.66 per D.U.)	47
2,500 S.F. OPEN PLAZA	
SOUTH PARCEL	160
BUILDING 1 64 UNITS (1.66 per D.U.)	106
BUILDING 2 32 UNITS (1.66 per D.U.)	54
TOTAL PARKING REQUIRED:	241
PARKING PROVIDED:	
NORTH PARCEL (OFF STREET) SOUTH PARCEL (OFF STREET) NE 9TH AVE (ON STREET) DR. MARTIN LUTHER KING JR. BLVD.	85 130 13 24
TOTAL PARKING PROVIDED:	252

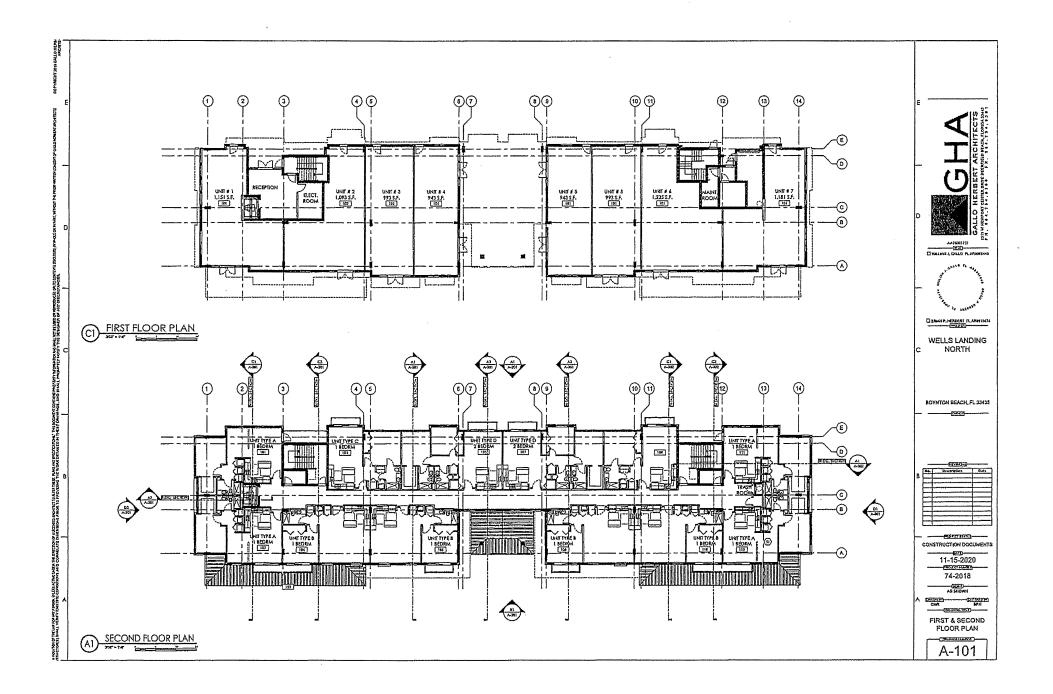


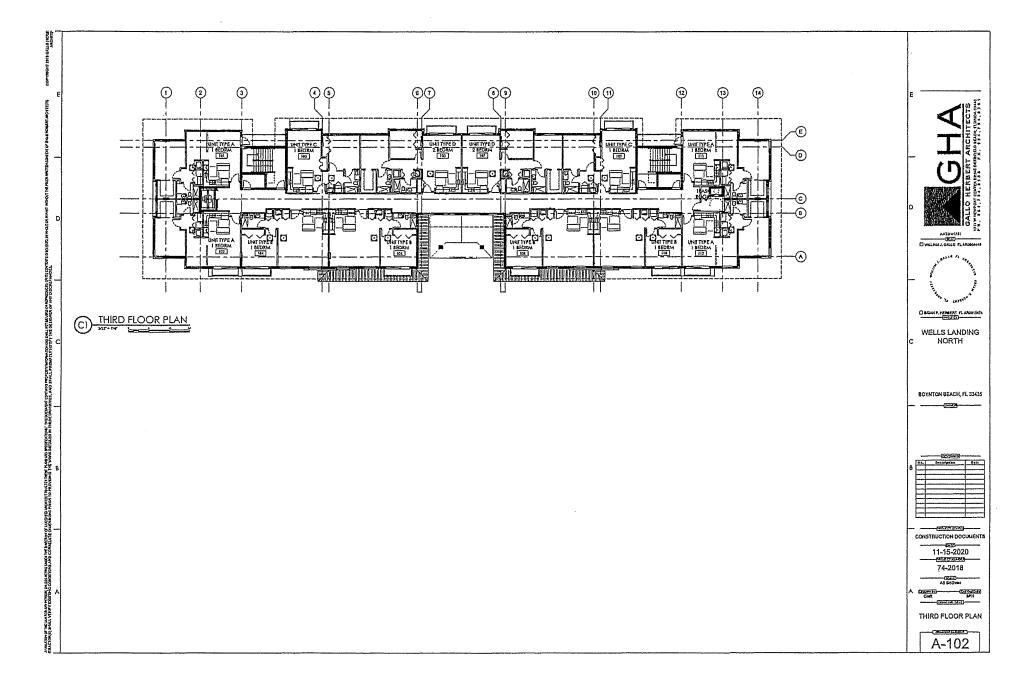


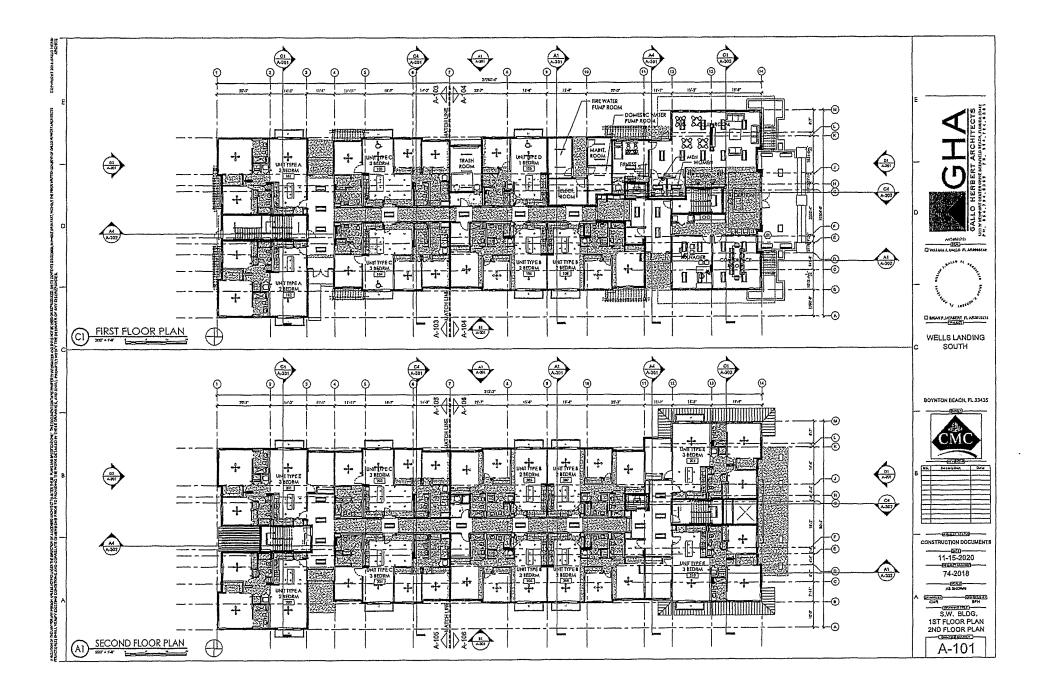


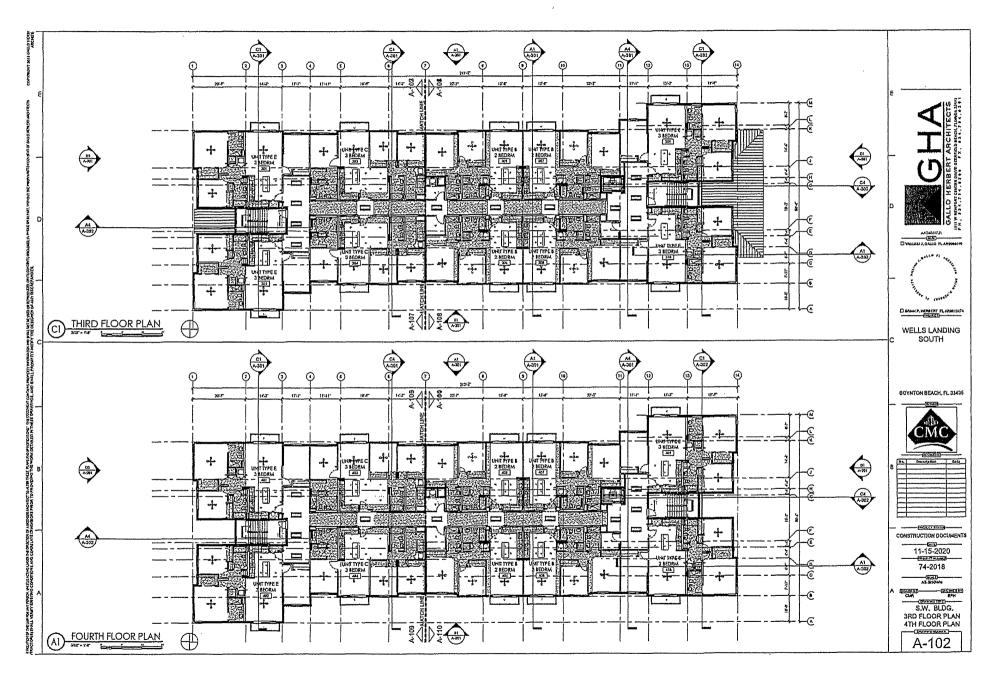
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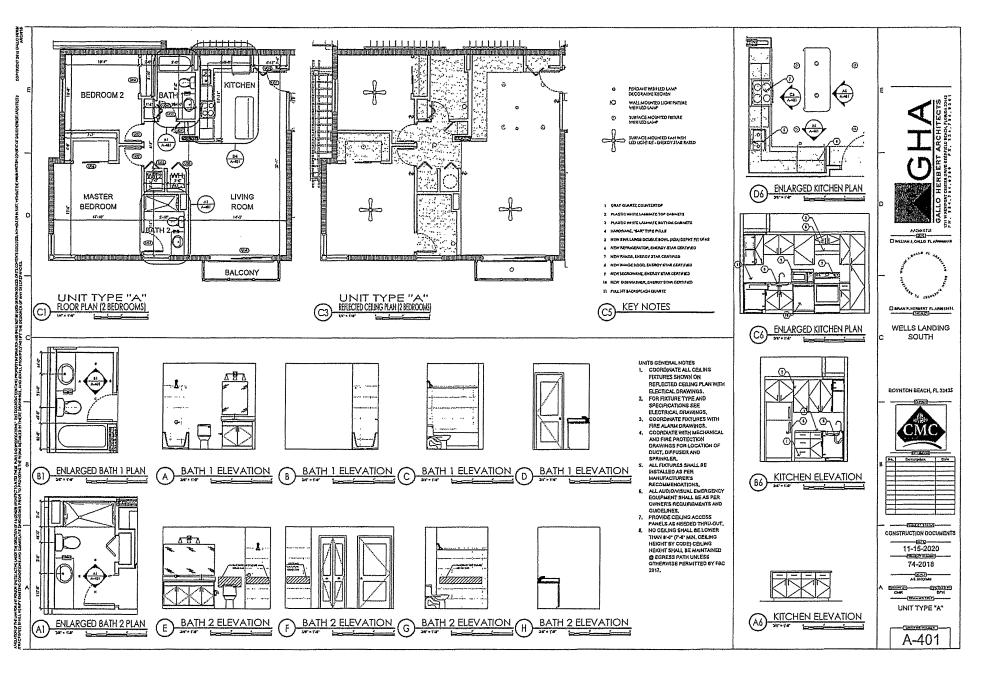




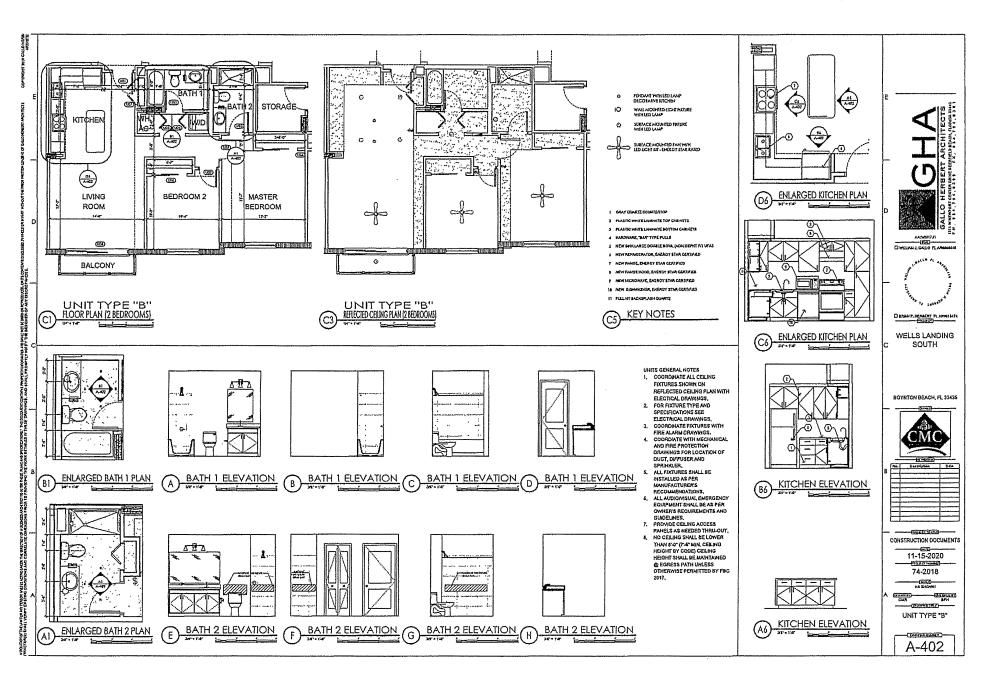


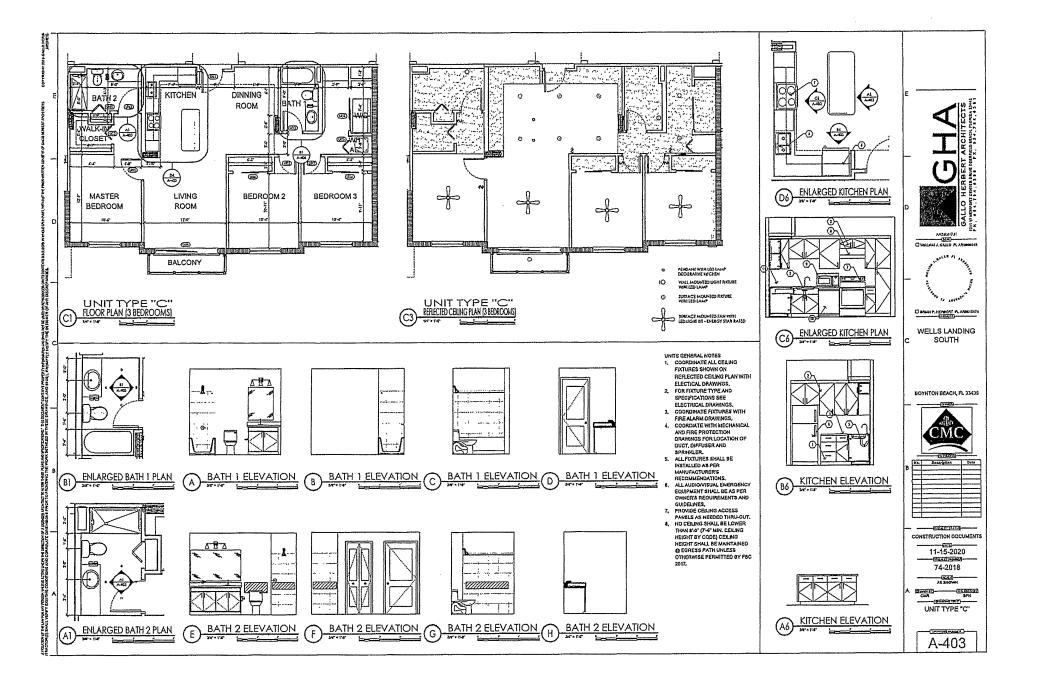


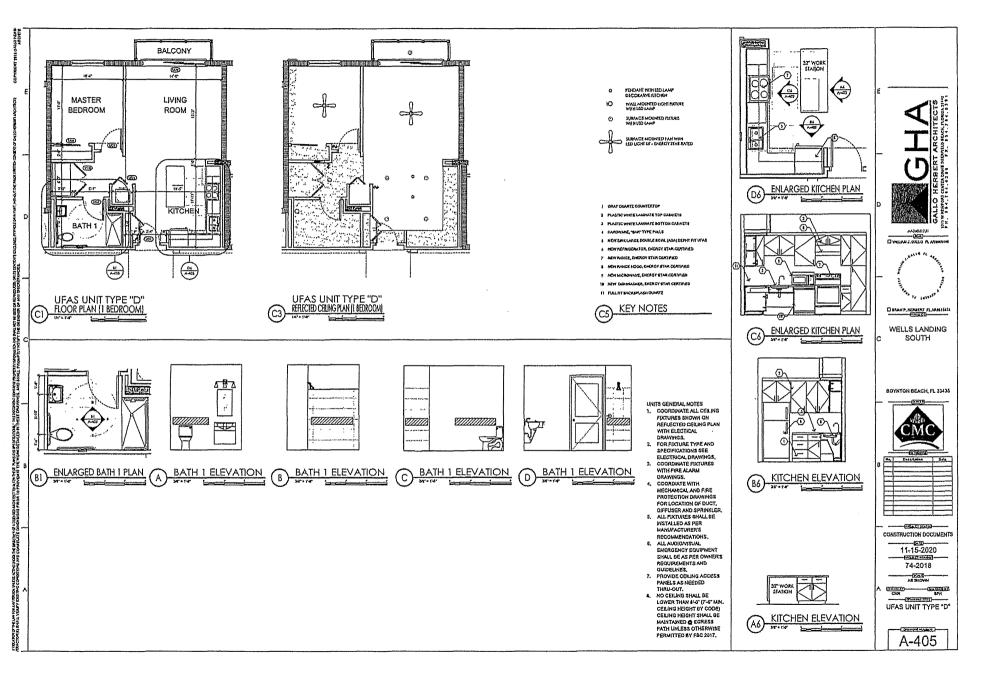




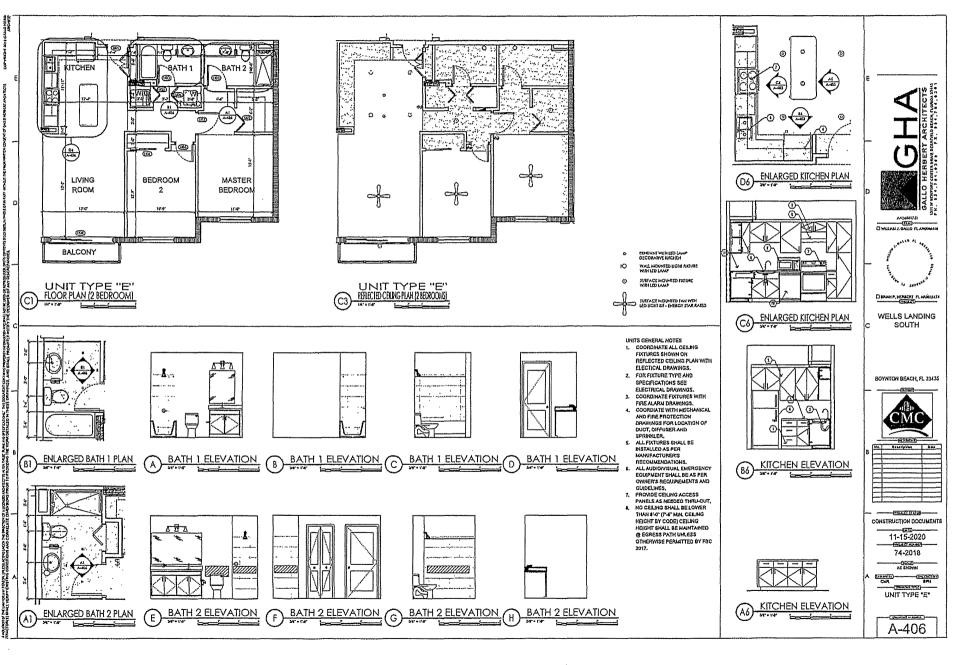
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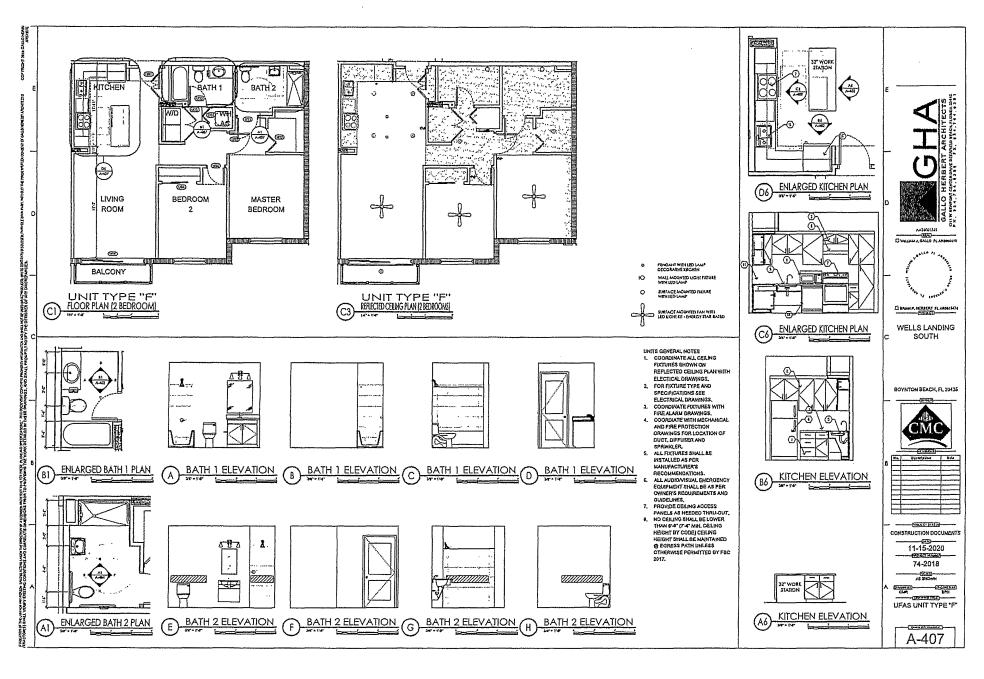




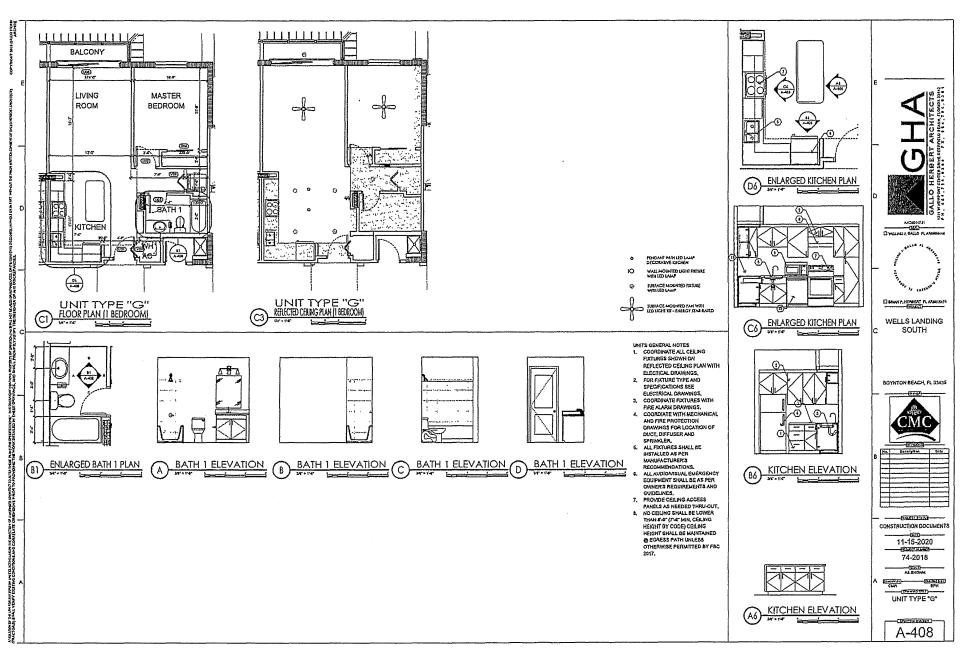
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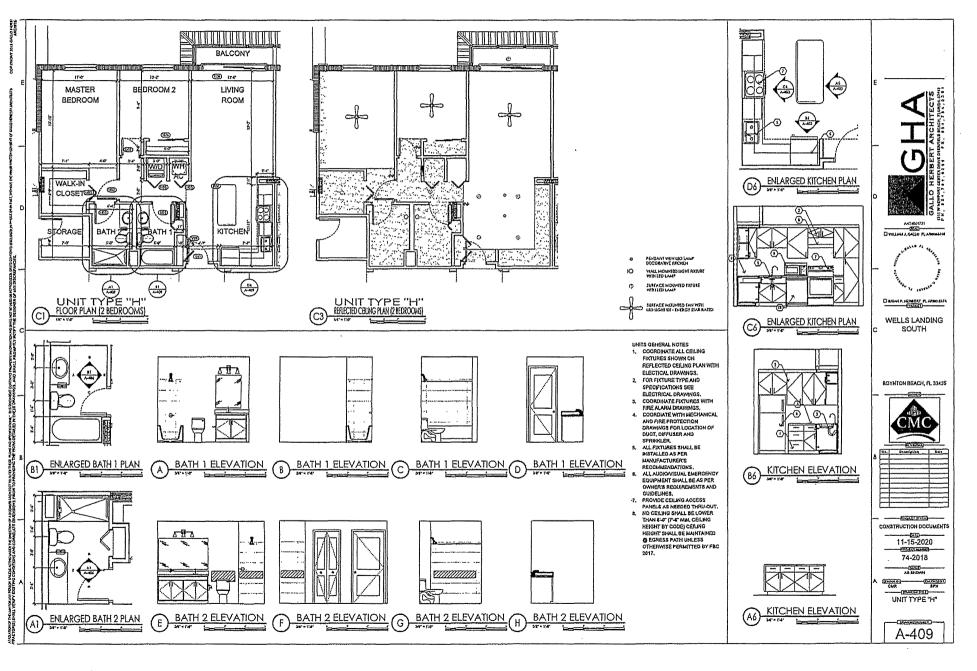
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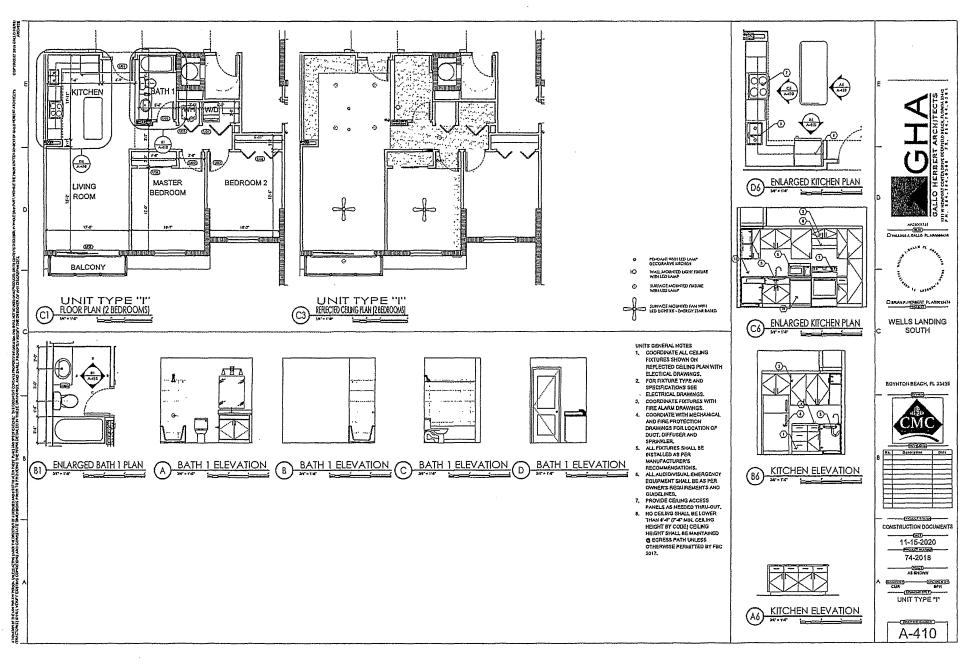
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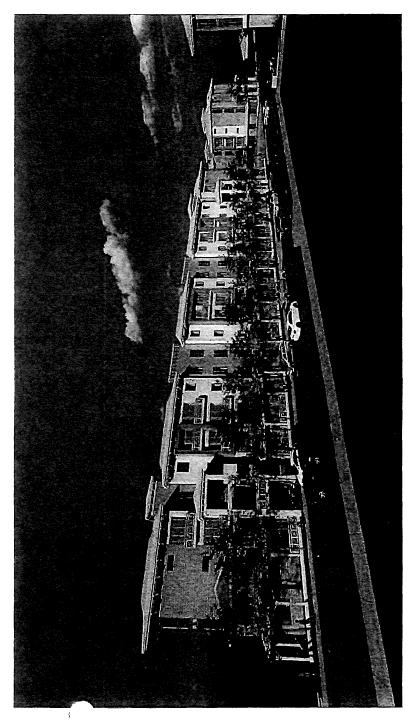
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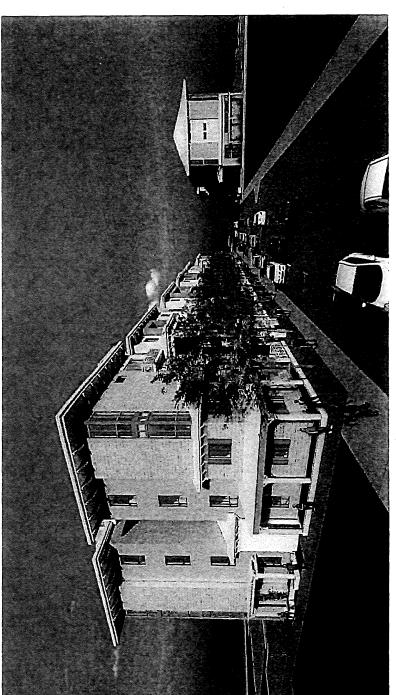


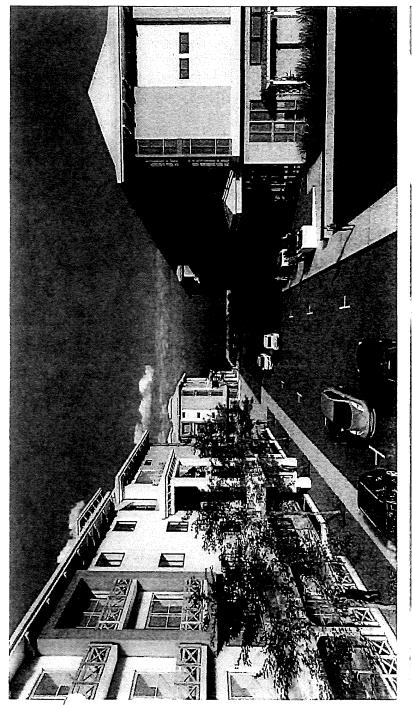
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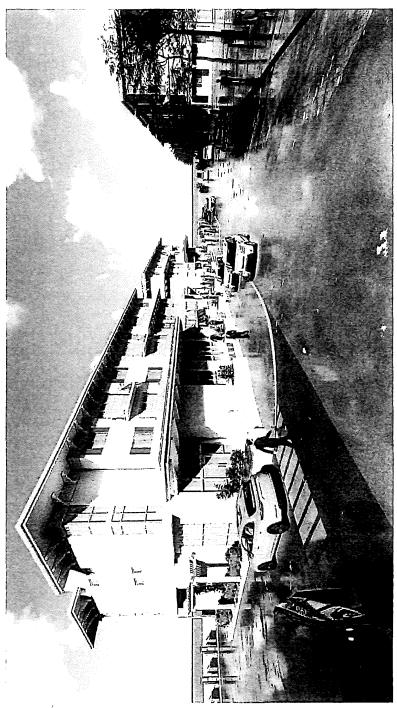


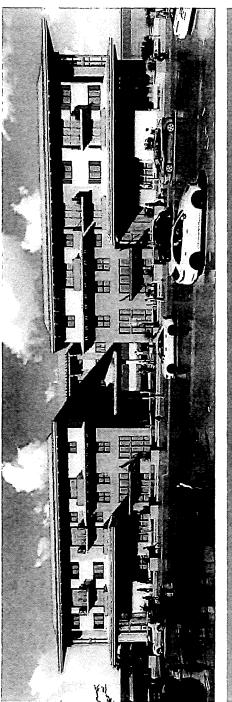
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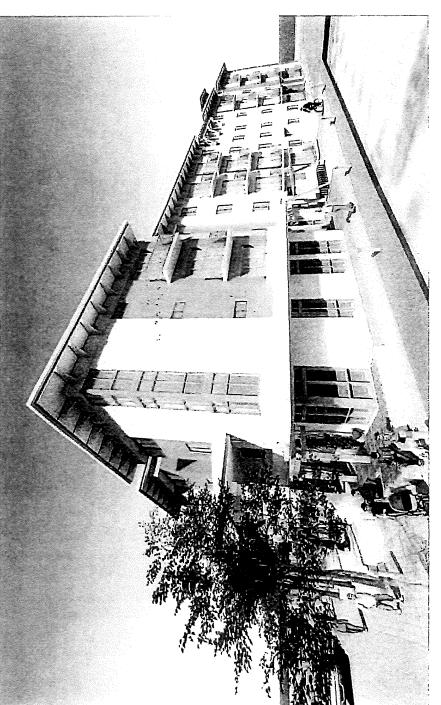


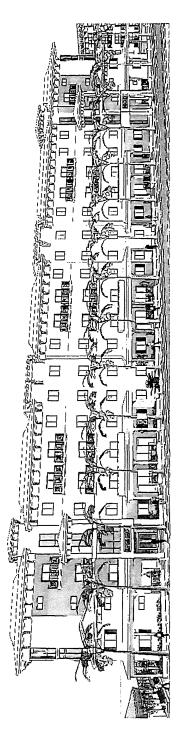


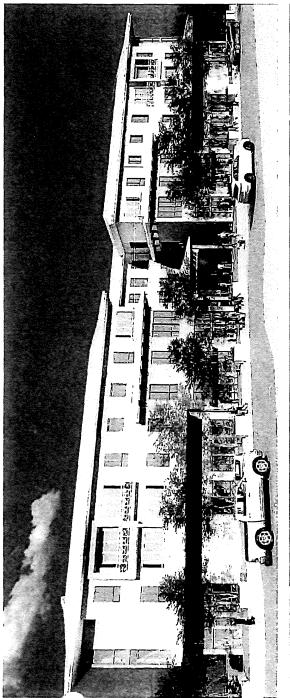


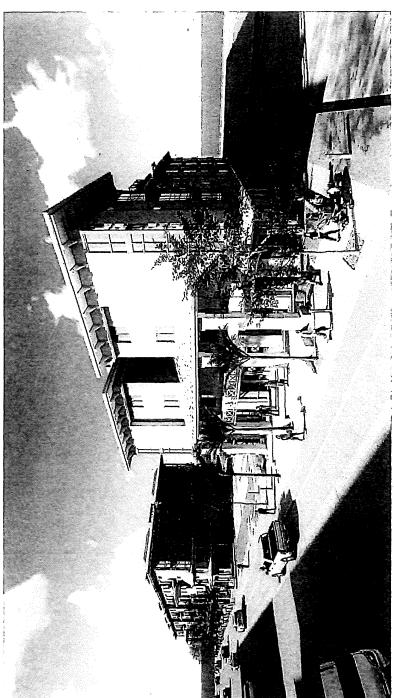


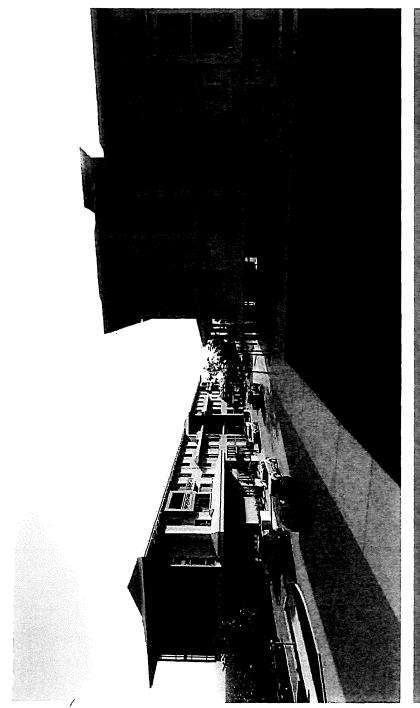


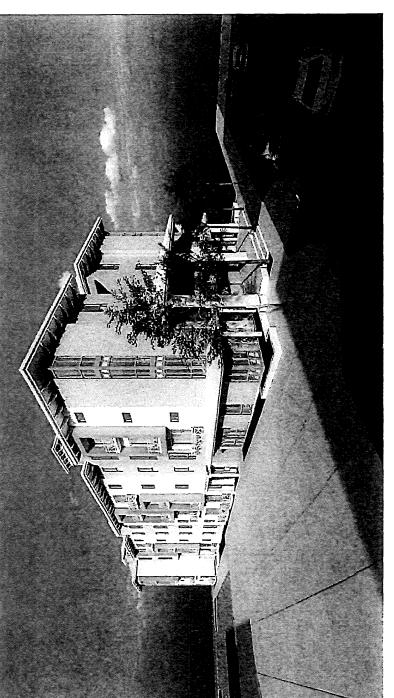












2D. Wells Landing Location - Targeted for Affordable Housing

In CRA - Targeted by City

Wells landing is located on the north and south side of Martin Luther King Jr Blvd just east of Seacrest in area designated for redevelopment by the City of Boynton Beach. In fact, Wells landing is being built on land mostly acquired by the Boynton Beach CRA and the development is partially funded by the City and the CRA.

In SADDA – Targeted by HUD

Wells Landing lies within Census Tract 61 and ZIP Code Tabulation Area (ZCTA) 33435 which is designated by HUD as a Small Area Difficult Development Area (SADDA) for 2022. A SADDA designation indicates the highest housing cost relative to household income and qualifies the area for incentives to promote Affordable Housing.

A SADDA works just like a Qualified Census Tract (QCT):

- The eligible base for Low Income Housing Tax Credits is increased by 30% for developments located in a SADDA or QCT to facilitate affordable housing development
- Florida Housing Finance Corp has stated tax credit funding goals for developments in a SADDA See attached map from HUD.

In Opportunity Zone - Targeted by the IRS and the State

Wells Landing is also located in an Opportunity Zone as shown in the attached list from the IRS. Opportunity Zones are an economic development tool that allows people to invest in distressed areas in the United States. Their purpose is to spur economic growth and job creation in low-income communities while providing tax benefits to investors. Opportunity Zones were created under the Tax Cuts and Jobs Act of 2017. Thousands of low-income communities in all 50 states, the District of Columbia and five U.S. territories are designated as Qualified Opportunity Zones.

Parcel Control Numbers (PCN) and Addresses

08-43-45-21-24-000-0010 137 NE 10th Ave (MLK), Boynton Beach, FL 33435 – North Site 08-43-45-21-04-000-0202 117 and 141 NE 9th Ave, Boynton Beach, FL 33435 – South Site

Map

A location map is provided at the end of Attachment 2.





an affordable family community in Riviera Beach, Florida

Berkeley Landing - Detailed Project Description

Berkeley Landing is a modern affordable **shovel-ready** rental community containing 112 units, including two unique "live/work lofts," and related amenities. The development will revitalize the U.S. Highway #1/Broadway corridor, becoming a long term-featured asset for the City of Riviera Beach.

Berkeley Landing is being developed by two best in class affordable housing developers — Pinnacle Communities and Wendover Housing Partners, both of whom have developed tens of thousands of affordable housing units throughout Florida. The effort to develop Berkeley Landing originated in 2018 and has been through a long, laborious and ultimately successful process to achieve readiness. Berkeley Landing's only obstacle is securing sufficient funds to fill a gap in the capital structure caused by the unprecedented rise in construction costs since the development was originally conceived, which the award of SHIP funds under RFP HED.2022.1 will ameliorate.

Berkeley Landing is the unique joining of forces between two affordable, workforce and market rate rental housing development standard-bearers in Pinnacle and Wendover. The principals of our respective companies have each collaborated on various industry matters for over 20 years and have maintained both a working relationship in a highly competitive industry. Collectively, we have over 200 years of combined successful experience in affordable and workforce housing development of all kinds and in many locations throughout Florida and the southeastern United States. We share a common corporate approach to realizing transformative and "best in class" affordable, workforce and market rate communities.

Pinnacle and Wendover understand the need to create iconic developments which reinvigorate communities and offer a sense of pride and belonging to its residents, helping them obtain housing and economic security. Pinnacle also maintains a day-to-day regional office in central Palm Beach County. The uniqueness of this venture, our decades of knowledge, our collective financial strength and our local commitment are evident.

Pinnacle and Wendover have worked tirelessly to see the economic spin-off of our development activity benefit the City's residents Pinnacle's construction affiliate has formed a construction joint venture with Dwight Stephenson and his firm, D. Stephenson Construction. This venture, called PCDS Construction, LLC has just completed a similar development in Miami-Dade County. This construction joint venture offers a wealth of prior experience in Palm Beach County, including within Riviera Beach, and focuses on both construction and effective community











an affordable family community in Riviera Beach, Florida

The location of indoor common elements and amenities face Broadway, along with the two live/work lofts. The development includes a new bus shelter structure matching the architecture of the development, and a pool area and cabana nestled in between the two residential buildings.

Site and Unit Amenities — as indicated on the attached site plan, Berkeley Landing has an array of on-site amenities commonly found on market-rate communities. But its best asset may be its location. Berkeley Landing lies close to the intracoastal waterway east of Broadway, with easy access to schools, shopping, employment and some of the finest recreational opportunities in Palm Beach County. Berkeley Landing is a key component of the "Reimagine Riviera Beach" initiative, emphasizing its significance as a city on the rise, Palm Beach County's best kept secret and a wonderful place to live, work and play.

Specific site amenities include a resort style pool and cabana, outdoor recreational area and dog park, covered playground and outdoor pavilion area, indoor fitness facility with state-of-the-art equipment, meeting room and common area with warming kitchen, cyber lounge, package delivery room, and indoor bike storage space.

Units will be well-appointed and include LVT wood-grain flooring throughout, spacious eat-in kitchens, an Energy Star appliance package including refrigerator with icemaker, microwave/range hood, range, disposal and dishwasher with washer and dryers available as an option. The units and common area also include LED lighting and all bedrooms and living rooms contain a modern Energy Star ceiling fan with light kit. Elegance, privacy and energy efficiency is also offered with roll-down solar shades.

These improvements are consistent with the high-quality standard for Wendover and Pinnacle developments. Our objective is to make affordable housing indistinguishable from market-rate development, with builder-grade, durable and energy efficient features throughout. Berkeley Landing will be constructed in accordance with the final plans and specifications approved by the City of Riviera Beach and will be fully accessible as required by law, conforming to requirements of local, state & federal laws, rules, regulations, ordinances, orders and codes, the 2012 Florida Accessibility Code for Building Construction as adopted pursuant to Section 553.503, Florida Statutes, Federal Fair Housing Act as implemented by 24 CFR 100, Section 504 of the Rehabilitation Act of 1973, and Titles II and III of the Americans with Disabilities Act ("ADA") of 1990 as implemented by 28 CFR 35, incorporating the most recent amendments, regulations and rules.











an affordable family community in Riviera Beach, Florida

If funded with SHIP under this RFP, we will agree to set aside SHIP units in accordance with the chart below:

Unit Type	Number	Low or Very	SHIP Funding	
	of Units	Low Income*	by Type**	rnak
1 bed/1 bath	2	VL	\$140,000	3 x 40 K = \$ 210,000
1 bed/1 bath	1	L	\$70,000	5 %
Subtotal	3		\$210,000	
2 bed/2 bath	3	VL	\$210,000	8 x 70 ks \$ 560,000
2 bed/2 bath	5	L	\$350,000	
Subtotal	8		\$560,000	
				4
3 bed/2 bath	1	VL	\$80,000	4 x 80 K = \$320,000
3 bed/2 bath	3	L	\$240,000	
Subtotal	4		\$320,000	
TOTAL PROPOSED SHIP	15		\$1,090,000	\$ 1,090,00
UNITS & FUNDING				, , ,

 $The \, SHIP \, set \, as ides, \, when \, merged \, with \, the \, Florida \, Housing \, set-as ides \, listed \, previously, \, will \, result \, and \, result \, result$ in six (6) of the 60% AMI units becoming 50% AMI units, and there may also be an adjustment in units permitted at 80% AMI under the "income averaging rule" subject to Florida Housing's review.







^{*}VL equates to 50% AMI, L equates to 80% AMI
**70,000 per SHIP-assisted 1 or 2 bedroom unit, \$80,000 per 3 bedroom unit.





an affordable family community in Riviera Beach, Florida

Targeted Resident Population and Resident Services — Berkeley Landing will target families. Our emphasis is on serving the emerging workforce that will lead the City of Riviera Beach's renaissance. We are not committing in this response to dedicating 50% or more of our units for elderly, disabled persons or veterans, although invariably through our efforts below, we are likely to attract those populations as well as families.

Berkeley Landing will provide continuous resident services such as health and wellness classes, financial counseling, employment referrals, parenting skills, and homebuyer education. Berkeley Landing will be a steppingstone for our residents' personal growth. Further, we will invest in our residents as they transition away from Berkeley Landing into homeownership. Berkeley Landing will rebate 5% of rent paid for our resident's term of tenancy as down payment assistance for first-time home purchases. We will coordinate our efforts with local stakeholders such as the Riviera Beach CDC and other organizations to maximize this investment.

We have entered into a Memorandum of Understanding with Community Partners of South Florida, Inc. under Florida Housing's LINK Initiative. In this program, Berkeley Landing agrees to set aside 9 of its 17 extremely low income 30% AMI units (shown in the table below) for referrals from Community Partners. These referrals tend to be transitional homeless, youth aging out of foster care, victims of domestic violence or the disabled. We look forward to a productive relationship with this outstanding non-profit organization.

Due to its close proximity to the Palm Beach Veterans Affairs Medical Center in Riviera Beach, Berkeley Landing may also serve a high number of Veteran residents and looks forward to building upon Wendover Housing Partner's experience serving those who have served us. Wendover continues to work successfully with HUD/VASH offices throughout the State of Florida. Upon nearing completion of Berkeley Landing, management will work with the Palm Beach County HUD/VASH Supervisor to begin identifying local Veterans that qualify to become residents. All approved HUD/VASH referrals to the property will be directed to the community through one of the Housing Specialists from the HUD/VASH office.

Lastly, the primary objective of creating two live/work spaces is to give entrepreneurs a chance to grow an emerging business in Riviera Beach at affordable rates. We are coordinating the leasing of these spaces with the Riviera Beach CRA's small business incubator program.

Property Information – Below are aerial maps of the Berkeley Landing site location:





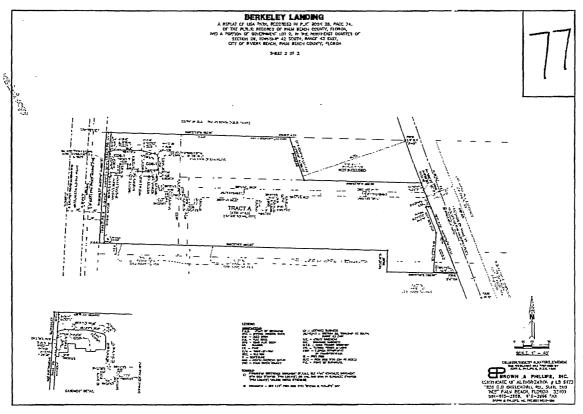






an affordable family community in Riviera Beach, Florida

The property has been re-platted by Berkeley Landing and the recorded plat is depicted below:



Berkeley Landing renderings are shown on the following pages.



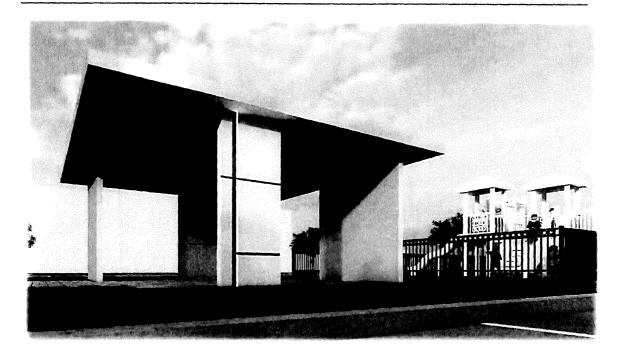


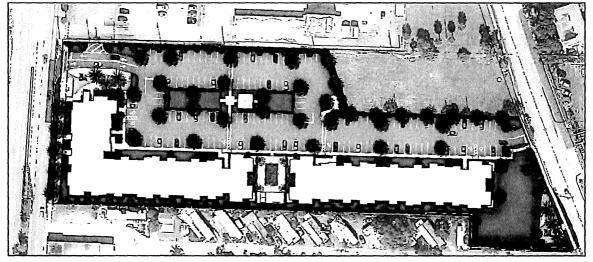


Berkeley Landing



an affordable family community in Riviera Beach, Florida













BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA **BUDGET TRANSFER**

Page 1 of 1

EXPENDED/

BGEX-143-051222000001329

FUND1162 -American Rescue Plan Act (ARPA)

Use this form to provide budget for items not anticipated in the budget.

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENCUMBERED 5/12/22	REMAINING BALANCE
EXPENDITURES 760-102A-4900	Disaster Expenses	0	2,000,000	0	589,500	1,410,500	512,645	897,855
143-310D-8201	Contribution Non Governmental Agency	0	0	589,500	0	589,500	0	589,500
	TOTAL EXPENDITURES			589,500	589,500			

Department of Housing and Economic Development INITIATING DEPARTMENT/DIVISION Administration/Budget Department Approval

OFMB Department - Posted

By Board of County Commissioners

At Meeting of : June 14, 2022

Deputy Clerk to the

Board of County Commissioners