

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Grant Expenditures					
Operating Costs	1,000,000				
External Revenues	(1,000,000)				
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	-0-				

# ADDITIONAL FTE POSITIONS (Cumulative)	-0-				
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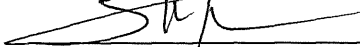
Is Item Included In Current Budget? Yes X No
 Does this Item include the use of Federal funds? Yes X No

Budget Account No.:

Fund 1103 Dept 143 Unit 1434 Object 8201 Program Code/Period

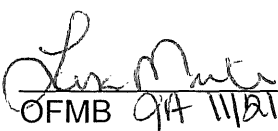
B. Recommended Sources of Funds/Summary of Fiscal Impact:

Approval of this agenda item will appropriate \$1,000,000 in HOME funds for a loan to SP Palm Beach LLC.

C. Departmental Fiscal Review: 
 Shairrette Major, Division Director II

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

 11/23/22
 OFMB 9/4 11/21 LM 11/21

 11/28/22
 Contract Development and Control

B. Legal Sufficiency:

 11/28/22
 Chief Assistant County Attorney

C. Other Department Review:

 Department Director

Background and Policy Issues: (continued from Page 1)

The FHFC administers the 9% Housing Credits Program offering Federal low-income housing tax credits to developers of affordable rental housing through a competitive Request for Applications (RFA) process. RFA 2022-202 offers a tax credit basis boost and additional scoring points for applications that demonstrate the LGAOF contribution from a local government entity.

RFP HED.2022.5 made \$1,000,000 in HOME funds available for the LGAOF contribution. A total of two (2) proposals were received in response to the RFP. Both proposals were determined to be responsive to the submittal requirements of the RFP and were reviewed and scored by a three (3) member RFP selection committee during a public meeting held on November 3, 2022. The resulting scores and ranking were as follows:

Rank	Score	Project	Funding Recommendation
1	267	Calusa Pointe	\$1,000,000
2	259	The Grove	\$-0-

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

RFP HED.2022.5
Selection Committee Score Tally Sheet
November 3, 2022

Selection Committee Members	Calusa Pointe	The Grove
Bolton, Jeff	69	67
Cheney, Bud	100	97
George, Lesley	98	95
TOTAL SCORE	267	259



RFP HED.2022.5
Selection Committee Member Score Sheet

Scoring Criterion	Maximum Points	Calusa Pointe	The Grove
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.	30	18	16
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.	30	18	18
Financial Viability: Assessment of financial viability of project, including availability of development funding sources and reasonableness of uses, product pricing, revenues/expenses, ability to repay debt and meet future physical needs, and likelihood of sustainable performance over time.	20	16	17
Project Schedule: The project is able to deliver affordable units expeditiously, and the projected schedule and time frames are realistic and achievable.	20	17	16
TOTAL SCORE		69	67

Name: JEFF BOLTON

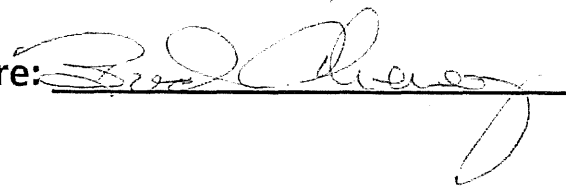
Signature:  Date: 11/3/2022



RFP HED.2022.5
Selection Committee Member Score Sheet

Scoring Criterion	Maximum Points	Calusa Pointe	The Grove
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.	30	30	28
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.	30	30	30
Financial Viability: Assessment of financial viability of project, including availability of development funding sources and reasonableness of uses, product pricing, revenues/expenses, ability to repay debt and meet future physical needs, and likelihood of sustainable performance over time.	20	20	20
Project Schedule: The project is able to deliver affordable units expeditiously, and the projected schedule and time frames are realistic and achievable.	20	20	19
TOTAL SCORE		100	97

Name: Bud Cheney

Signature:  Date: 1-3-22



RFP HED.2022.5
Selection Committee Member Score Sheet

Scoring Criterion	Maximum Points	Calusa Pointe	The Grove
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.	30	30	28
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.	30	30	30
Financial Viability: Assessment of financial viability of project, including availability of development funding sources and reasonableness of uses, product pricing, revenues/expenses, ability to repay debt and meet future physical needs, and likelihood of sustainable performance over time.	20	20	20
Project Schedule: The project is able to deliver affordable units expeditiously, and the projected schedule and time frames are realistic and achievable.	20	18	17
TOTAL SCORE		98	95

Name: Lesley George

Signature: [Handwritten Signature] Date: 11/3/22



Request for Proposals

RFP HED.2022.5



Local Government Area of Opportunity Funding
for the 9% Housing Credits RFA 2022-202

September 2022



ATTACHMENT 2

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SECTION I

A. Statement of Purpose

Through this RFP, the Palm Beach County Board of County Commissioners (County) intends to select one (1) affordable housing project to which it will commit federal HOME Investments Partnership (HOME) Program funds to serve as Local Government Area of Opportunity Funding (LGAOF) for that project's application to the Florida Housing Finance Corporation (FHFC) 9% Housing Credits Program 2022 Request for Applications (RFA 2022-202).

B. Background

The 9% Housing Credits Program is administered by FHFC and offers federal low-income housing tax credits to developers of affordable rental housing. FHFC makes these credits available through an annual competitive Request for Applications (RFA) process. RFA 2022-202 offers a tax credit basis boost and additional scoring points for applications that demonstrate the commitment of a LGAOF contribution from a local government entity. The LGAOF contribution must be in the form of a monetary grant, loan, or fee waiver/deferral in the minimum amount specified in RFA 2022-202 for the particular project type. Any single local government entity may only provide a LGAOF contribution to one (1) project.

Prospective Respondents are strongly urged to study FHFC's 9% Housing Credits RFA 2022-202 before submitting a proposal in response to this RFP. The RFA and other important information are located at <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022/2022-202>

The HOME Program was created by the 1990 Title II, 42 USC 1271, SEC. 201 Cranston-Gonzalez National Affordable Housing Act, and is administered by the U.S. Department of Housing and Urban Development (HUD). The purpose of this program is to allocate funds to strengthen public/private partnerships for the provision of affordable housing opportunities for Very Low Income and Low Income households. Palm Beach County's HOME Program is administered by the Department of Housing and Economic Development (HED).

C. Funding Available

RFP HED.2022.5 makes available \$1,000,000 in HOME entitlement funding from Program Year (PY) 2022-2023. These funds are made available exclusively to provide a loan to serve as the LGAOF for a rental housing project seeking 9% Housing Credits through RFA 2022-202.

D. Defined Terms

Affordability Requirements are defined as the requirements imposed upon HOME Assisted Housing Units to serve lower income households at affordable rents as established in this RFP HED.2022.5.

Annual Monitoring Fee is defined as a \$2,500 fee paid by the Developer annually during the Period of Affordability to cover County costs of required project monitoring.

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

Developer is defined as an entity which: 1) is funded through this RFP to complete the development of HOME-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. Developers shall assume responsibility for compliance with all program requirements in accordance with HOME regulations.

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.

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

Glades Region is defined as the geographic area of Palm Beach County located west of Twenty-Mile Bend.

HOME-Assisted Housing Unit is defined as a housing unit assisted with HOME funding provided through RFP HED.2022.5 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 HUD.

Period of Affordability is defined as the time period for which HOME-Assisted Housing Units shall bear Affordability Requirements of the HOME Program and RFP HED.2022.5.

Redevelopment is defined as development activity entailing the demolition of multifamily rental residential structures or public housing structures currently or previously existing that are at least 30 years old and new construction of replacement structures on the same site, as further described at 67-48.002 F.A.C.

Rehabilitation is defined as development activity entailing the alteration, improvement or modification of an existing structure where less than 50% of the work consists of new construction, as further described at 67-48.002 F.A.C.

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.

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

E. Location Limitations

Properties must be located exclusively within Palm Beach County HOME Program jurisdiction. The Palm Beach County HOME Program jurisdiction includes the geographic area within the corporate bounds of Palm Beach County, but excludes the municipalities of:

- Boca Raton, City of
- Boynton Beach, City of
- Delray Beach, City of
- Jupiter, Town of
- Ocean Ridge, Town of
- Palm Beach Gardens, City of
- Wellington, Village of
- West Palm Beach, City of

Projects located the above-listed municipalities are not eligible for funding through this RFP.

F. Eligible Projects

Eligible projects shall be limited to multifamily housing for rental tenancy, including assisted living facilities for the elderly. Transitional housing, emergency shelters, group homes, and other specialized licensed residential facilities, and units within a condominium complex are not eligible for funding under this RFP.

Eligible development categories shall be limited to those eligible for LGAOF permitted by 9% Housing Credits RFA 2022-202, as follow:

- New Construction
- Rehabilitation
- Acquisition and Rehabilitation
- Redevelopment
- Acquisition and Redevelopment

Eligible development types shall be limited to those permitted by 9% Housing Credits RFA 2022-202, as follow:

- Garden Apartments (a building comprised of 1, 2 or 3 stories, with/without elevator)
- Townhouses
- Duplexes
- Quadraplexes
- Mid-Rise, 4-stories (a building comprised of 4 stories and each residential building must have at least one elevator)
- Mid-Rise, 5 to 6-stories (a building comprised of 5 or 6 stories and each residential building must have at least one elevator)
- High Rise (a building comprised of 7 or more stories and each residential building must have at least one elevator)

Respondents should ensure that the proposed project conforms to minimum and maximum size requirements established by Housing Credits RFA 2022-202.

G. LGAOF Terms

The County will provide to the selected Developer a commitment for the LGAOF for the proposed project's application to 9% Housing Credits RFA 2022-202. The commitment is contingent on the Developer being awarded 9% Housing Credits through RFA 2022-202. Only after the FHFC Board of Directors approves of the Developer's 9% Housing Credits application will the County enter into a funding agreement with the Developer. Should the selected Developer and project not be awarded 9% Housing Credits by FHFC through RFA 2022-202, or if the application is successful but the project's 9% Housing Credit financing does not close, the County commitment to fund shall become null and void, and the County shall bear no further obligations to the Developer.

The LGAOF commitment will be for a \$1,000,000 loan at 1.0% interest only for a thirty (30) year term with the full amount of principal due at maturity, or at sale if the property is sold or if ownership changes by 50% or more prior to maturity. The loan will be secured by a mortgage and note. The loan will close and become available at the same time as other development financing.

The Developer shall pay a \$2,500 Annual Monitoring Fee to the County during each year of the term of the Period of Affordability.

H. HOME-Assisted Housing Units

Developers shall designate a certain number of units within the project as "fixed" HOME-Assisted Housing Units. Projects may contain both HOME-Assisted Housing Units and non-HOME-Assisted Housing Units. There shall be a representative distribution of housing unit sizes among the mix of HOME-Assisted Housing Units and non-HOME-Assisted Housing Units.

The maximum per unit HOME subsidy is \$100,000 for all unit sizes. All HOME-Assisted Housing Units must be completed, put into service and leased to Eligible Beneficiaries no later than September 30, 2026.

Respondents should ensure that the proposed project meets minimum unit set-aside requirements established by Housing Credits RFA 2022-202.

Housing Credit set-aside units may also serve as HOME-Assisted Housing Units.

I. Eligible Beneficiaries

All HOME-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 percent (20%) of the HOME-Assisted Housing Units must be set aside for Very Low Income households ($\leq 50\%$ AMI). For at least half of these units, the Developer's tenant selection process must give preference to prospective tenants referred through the Palm Beach County Community Services Department Coordinated Entry System and/or households seeking family reunification under the auspices of the courts or Department of Children and Families.

HUD's 2022 income limits are set forth in Exhibit A.

J. Period of Affordability

All HOME-Assisted Housing Units shall bear the Affordability Requirements of the HOME Program and RFP HED.2022.5 for no less than fifty (50) years (the Period of Affordability).

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

The Period of Affordability will be secured and enforced through an encumbrance on title to the property that will remain in place regardless of any early repayment of mortgage and note.

K. Affordable Rental Rates

During the Period of Affordability, all HOME-Assisted Housing Units in Multi-Family Housing projects must be leased to Eligible Beneficiaries at rents that do not exceed HUD's HOME High and Low Rents, less utility allowance. The High and Low HOME Rents are applicable to HOME-Assisted Housing Units set aside for income groups as follow:

- Low Income (<80% AMI) Units = High HOME Rent
- Very Low Income (<50% AMI) Units = Low HOME Rent

HUD's most recent available HOME Rents are set forth in Exhibit B. HOME Rents are subject to annual adjustment by HUD.

A utility allowance for tenant paid utilities shall be calculated based on the applicable HUD utility

allowance schedule, and shall be deducted from the applicable HOME Rent to yield the maximum rent that may be charged to the tenant leasing the HOME-Assisted Housing Unit. HUD's most recent available local utility allowance schedule is provided at Exhibit C. Utility allowances are subject to annual adjustment by HUD.

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

All rental requirements will be included in a HOME funding agreement between the County and the Developer and will be secured by an encumbrance on title to the property.

L. Rehabilitation Standards

Rehabilitation work completed under this program shall seek to upgrade the property to the extent practicable and feasible to applicable housing and building code standards including the HUD Section 8 Housing Quality Standards, and Florida Statutes Chapter 553, Building Construction Standards. The rehabilitation shall address lead-based paint remediation and asbestos remediation. The rehabilitation may address hurricane protection, energy efficiency and conservation, the removal of architectural barriers, as well as any construction related improvements to the property in order to comply with the requirements of the required environmental review. When rehabilitation is undertaken, a minimum of \$1,000 in rehabilitation costs must be expended on each unit for all housing types.

M. Eligible Costs

Eligible uses of the HOME funds are limited to the portion of project development costs directly attributable to the HOME-Assisted Housing Units; including: acquisition; architectural and engineering services; demolition; site improvements, rehabilitation; construction; building permits; utility connection fees; impact fees; and developer fee. The HOME funds shall not reimburse for costs incurred prior to HOME award. 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 HOME funds.

N. Relocation

Respondents are cautioned that any activities causing displacement of residents and/or businesses are required to comply with the federal Uniform Relocation Assistance and Real Properties Acquisition Policies Act (URA). The Respondent is solely responsible for all procedural requirements and costs related to the URA.

O. Schedule

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

- December 31, 2023.....Execution of HOME Funding Agreement
- September 30, 2025.....100% expenditure of HOME Funds
- September 30, 2026.....100% Lease up /Beneficiaries Realized

P. Federal Requirements

Applicable federal regulations will be incorporated in the HOME funding agreement. The following are some of the federal regulations applicable to projects funded through this RFP. This list is not all-encompassing, and the exclusion of a requirement from this list does not relieve the Developer of its obligations related thereto:

- The HOME Investment Partnerships Act at Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, 42 U.S.C. 12701 et se., and the HOME Investment Partnerships Program Regulations (24 CFR Part 92);
- 2 CFR Part 200 and 24 CFR Part 5, Subpart A;
- Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Title II of the Americans with Disabilities Act of 1990;
- Executive Orders 11246, 11375, 11478, 12086, 12107, 11625, 12007, 12138, 12608, 12432, the Davis-Bacon Act, the Contract Work Hours and Safety Standards Act, Section 3 of the Housing and Community Development Act of 1968, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, Protecting Tenants at Foreclosure Act of 2009 (PFTA), Public Law No. 111-22;
- Executive Orders 11063, 12259, the Fair Housing Act of 1988, and Section 109 of the Housing and Community Development Act of 1974, as amended;
- Florida Statutes, Chapter 112;
- The Drug-Free Workplace Act of 1988;
- Section 504 of the Rehabilitation Act of 1973; and
- National Environmental Policy Act of 1969, Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992 and 24 CFR Part 35, Environmental Protection Agency (EPA) NESHAP, 40 CFR Parts 61 Subpart M National Emission Standard for Asbestos, revised July 1991, Clean Air and Clean Water Acts, Energy Policy and Conservation Act of 1975; Occupational Health and Safety Administration (OSHA) Construction Industry Standard, 29 CFR 1926.1101, Florida State Licensing and Asbestos Laws, Title XVIII, Chapter 255.

SECTION II

A. Proposal Requirements

A completed registration form for RFP HED.2022.5 shall be submitted to HED in order to be eligible to submit a proposal. The registration form is located at <http://www.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. Provide 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, designated income tier, and proposed rents; numbers of HOME-Assisted Housing Units by unit size, designated income tier, and proposed rents (either Low HOME or High HOME rents); 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. The description shall describe the site's proximity to and availability of transportation services, employment centers, commercial centers, medical facilities, and educational services. *Submit as Attachment 1.*
2. 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, Developer, construction contractor, A&E consultant(s), and attorney. *Submit as Attachment 2.*
3. Provide an organizational chart that details the ownership structure of the project, including the membership of the Respondent and Developer. *Submit as Attachment 3.*
4. 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. The proposal shall include documentation of any audit findings, punitive sanctions, or adverse designations to which the Developer or its ownership entities have been subject within the past three (3) years. In addition, the proposal shall include individual résumés that identify each of the proposed team members' experience in similar roles. *Submit as Attachment 4.*
5. Provide evidence of site control for the entire project site(s) in the form of a fully executed contract for purchase of the property(ies), option to purchase, long-term lease, lease option, recorded deed, or recorded certificate of title. *Submit as Attachment 5.*
6. Provide a detailed development pro forma which includes all project sources and uses of funding, and which explicitly states all assumptions. The proposal shall discretely identify all proposed sources of County funding/subsidy. The proposal shall include documentation supporting all proposed construction 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 6.*

7. Provide 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 7.*
8. Provide documentation evidencing availability of all sources of funding required for the non-County 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 8.*
9. Provide a detailed project schedule including all development activities from pre-development through lease-up, and indicating activity status at time of submittal. The schedule *Submit as Attachment 9.*
10. Identify the current zoning and land use for the project site, and identify all applicable development review processes including but not limited to: re-zoning, zoning variances, future land use changes, comprehensive plan amendments, platting, site plan approval, and building permitting. Provide estimated dates/timeframes for all submittals, reviews, hearings, and approvals, and indicate the status of project applications in all such applicable development review processes. *Submit as Attachment 10.*
11. For projects located within municipalities, provide documentation from the entity/jurisdiction with building permitting authority over the project site that evidences commitment to provide an expedited permitting process for the proposed project. *Submit as Attachment 11.*
12. Indicate if the project is anticipated to cause any displacement, and if so, shall identify: the number of occupied housing units at time of proposal submittal; number of households/businesses that will be displaced; householder/business owner tenure; and whether displacement is temporary or permanent. For projects that will result in the displacement of bona fide tenants (residential or commercial), the proposal shall include a relocation plan to address requirements of the Uniform Relocation Assistance and Real Properties Acquisition Policies Act (URA). *Submit as Attachment 12.*
13. Provide a completed and executed copy of the Respondent Certification Form, attached hereto as Exhibit D. *Submit as Attachment 13.*
14. Provide 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 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 14.*

15. Provide an executed public disclosure, in writing, under oath and subject to the penalties prescribed for perjury, on the form attached hereto as Exhibit F, 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 15.*

16. Provide 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 16.*

17. Provide 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 G to this RFP. If Respondent has not implemented a Drug Free Workplace program, simply complete the form using "not applicable". *Submit as Attachment 17.*

Proposals which fail to provide all 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:

<u>Activity</u>	<u>Date, Time, and Location</u>
Issue RFP	Advertised Wednesday September 7, 2022
Non-Mandatory	Wednesday, September 14, 2022, 9:30am conducted remotely via Webex software platform
Pre-Submittal Workshop	(Meeting number: 2300 520 2136 / Password J6TkQnQmV72)
Submittal Deadline	Wednesday, October 19, 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

Thursday November 3, 2022, 9:00am (TENTATIVE) at the McEaddy Conference Room, Palm Beach County Governmental Center, 301 N. Olive Avenue, 12th Floor, West Palm Beach, FL 33401. Respondent and members of the public may attend remotely via Webex (details to follow).

BCC Consideration

Tuesday, December 6, 2022 (TENTATIVE), at the Commission Chambers, 6th Floor, PBC Robert Weisman Governmental Center, 301 North Olive Avenue, West Palm Beach, FL 33401. BCC meetings begin at 9:30am.

C. 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.

D. 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 stick, and eight (8) hard copies of the complete proposal. One (1) original hard copy must be single sided, in loose-leaf form, on paper no larger than 8.5" x 11". The remaining seven (7) hard copies shall be bound on paper no larger than 8.5" x 11", with tabbed/identified sections for each required attachment.

E. Submittal Deadline

Completed proposal submittal must be received by HED no later than 4:00p.m. Wednesday, October 19, 2022, 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.2022.5** must be boldly printed on the proposal.

F. 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.

G. 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

H. Lobbying - "Cone of Silence"

Respondents are advised that the "Palm Beach County Lobbyist Registration Ordinance", a copy of which is attached hereto as Exhibit H, 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.

I. 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.

J. 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.

K. 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.

L. 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.

M. 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.

N. 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.

O. 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.

P. 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).

Q. 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.

R. 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).

S. Insurance

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

T. 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:

30 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.

30 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.

20 Points - Financial Viability

Assessment of financial viability of project, including availability of development funding sources and reasonableness of uses, product pricing, revenues/expenses, ability to repay debt and meet future physical needs, and likelihood of sustainable performance over time.

20 Points - Project Schedule

The project is able to deliver affordable units expeditiously, and the projected schedule and time frames are realistic and achievable.

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. The criteria are listed in descending rank order, and shall be applied in sequence to tied proposals until a rank order is established among the proposals.

1st: Proposal with higher score for Quality of Proposed Project scoring criterion

2nd: Proposal with higher score for Qualifications and Experience scoring criterion

3rd: Proposal with higher score for Financial Viability 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:

2022 INCOME LIMITS CHART

2022 HOME Income Limits for West Palm Beach – Boca Raton, FL HMFA
U.S. Department of Housing and Urban Development

Number of Persons in Household	Very Low Income 50% AMI	Low Income 80% AMI
1	\$32,200	\$51,550
2	\$36,800	\$58,900
3	\$41,400	\$66,250
4	\$46,000	\$73,600
5	\$49,700	\$79,500
6	\$53,400	\$85,400
7	\$57,050	\$91,300
8	\$60,750	\$97,200

EXHIBIT B:

2022 HOME RENT LIMITS

Affordable Rents that may be charged in HOME-Assisted Housing Units funded through RFP HED.2022.5 will be HOME Program Rents (High and Low) for existing comparable housing units for the West Palm Beach – Boca Raton, FL MSA as published annually by HUD.

FY2022 HOME Rent Limits

U.S. Department of Housing and Urban Development

Number of Bedrooms in Unit	Low HOME Rent Limit (50% AMI Units)	High HOME Rent Limit (80% AMI Units)
Efficiency	\$805	\$1,028
1	\$862	\$1,102
2	\$1,035	\$1,324
3	\$1,196	\$1,521
4	\$1,335	\$1,678
5	\$1,472	\$1,832
6	\$1,610	\$1,987

UTILITY ALLOWANCE SCHEDULE

Allowances for Tenant-Furnished Utilities and Other Services

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Public and Indian Housing

OMB Approval No. 2577-0102
(exp. 10/30/2010)

Locality		Unit Type		Date (mm/dd/yyyy)			
Palm Beach County, FL		Single Family		01/01/19			
Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating	a. Natural Gas	4.00	4.00	5.00	7.00	9.00	11.00
	b. Bottle Gas	7.00	7.00	8.00	11.00	13.00	15.00
	c. Electric	4.00	4.00	5.00	6.00	6.00	7.00
	d. Fuel Oil						
Cooking	a. Natural Gas	3.00	3.00	4.00	4.00	5.00	5.00
	b. Bottle Gas	5.00	6.00	7.00	7.00	8.00	9.00
	c. Electric	4.00	5.00	6.00	6.00	7.00	8.00
	d. Fuel Oil						
Other Electric		17.00	20.00	24.00	29.00	34.00	41.00
Air Conditioning		34.00	39.00	48.00	59.00	68.00	80.00
Water Heating	a. Natural Gas	13.00	15.00	18.00	23.00	27.00	32.00
	b. Bottle Gas	23.00	29.00	32.00	42.00	49.00	58.00
	c. Electric	11.00	15.00	18.00	25.00	32.00	38.00
	d. Fuel Oil						
Water	a. City	27.00	29.00	33.00	40.00	45.00	51.00
	b. County	17.00	18.00	21.00	30.00	35.00	41.00
Sewer	a. City	20.00	23.00	30.00	39.00	47.00	53.00
	b. County	19.00	21.00	25.00	37.00	47.00	54.00
Trash Collection		19.00	19.00	19.00	19.00	19.00	19.00
Range		5.00	5.00	5.00	5.00	6.00	6.00
Refrigerator		3.00	3.00	3.00	3.00	4.00	4.00
Other - specify Customer Charge	a. Electric	8.01	8.01	8.01	8.01	8.01	8.01
	b. Natural Gas	11.00	11.00	11.00	11.00	11.00	11.00
Actual Family Allowances - To be used by the family to compute allowance. Complete below for the actual unit rented.				Utility or Service		per month cost	
Name of Family				Heating		\$	
				Cooking			
Address of Unit				Other Electric			
				Air Conditioning			
Number of Bedrooms				Water Heating			
				Water			
				Sewer			
				Trash Collection			
				Range/Microwave			
				Refrigerator			
				Other			
				Total		\$	

Form HUD-52667 (12/97)
of Handbook 7420.8

EXHIBIT C:

UTILITY ALLOWANCE SCHEDULE (continued)

Allowances for Tenant-Furnished Utilities and Other Services

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Public and Indian Housing

GMB Approval No. 2577-0159
(exp. 4/30/2018)

Locality		Unit Type		Date (mm/dd/yyyy)			
Palm Beach County, FL		Duplex/Row/Townhouse		01/01/19			
Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating	a. Natural Gas	3.00	3.00	4.00	6.00	7.00	9.00
	b. Bottle Gas	6.00	6.00	7.00	9.00	11.00	14.00
	c. Electric	3.00	3.00	4.00	5.00	5.00	6.00
	d. Fuel Oil						
Cooking	a. Natural Gas	3.00	3.00	4.00	4.00	5.00	5.00
	b. Bottle Gas	5.00	6.00	7.00	7.00	8.00	9.00
	c. Electric	4.00	5.00	6.00	6.00	7.00	8.00
	d. Fuel Oil						
Other Electric		17.00	20.00	24.00	29.00	34.00	41.00
Air Conditioning		34.00	39.00	48.00	69.00	66.00	80.00
Water Heating	a. Natural Gas	13.00	16.00	18.00	23.00	27.00	32.00
	b. Bottle Gas	29.00	28.00	32.00	42.00	49.00	58.00
	c. Electric	11.00	15.00	18.00	25.00	32.00	38.00
	d. Fuel Oil						
Water	a. City	27.00	29.00	33.00	40.00	46.00	51.00
	b. County	17.00	18.00	21.00	30.00	36.00	41.00
Sewer	a. City	20.00	23.00	30.00	39.00	47.00	53.00
	b. County	19.00	21.00	28.00	37.00	47.00	54.00
Trash Collection		19.00	19.00	19.00	19.00	19.00	19.00
Range		5.00	5.00	5.00	5.00	6.00	6.00
Refrigerator		3.00	3.00	3.00	3.00	4.00	4.00
Other - specify Customer Charge	a. Electric	8.01	8.01	8.01	8.01	8.01	8.01
	b. Natural Gas	11.00	11.00	11.00	11.00	11.00	11.00
Actual Family Allowances - To be used by the family to compute allowance. Complete below for the actual unit rented.				Utility or Service		per month cost	
Name of Family				Heating			
				Cooking			
Address of Unit				Other Electric			
				Air Conditioning			
Number of Bedrooms				Water Heating			
				Water			
				Sewer			
				Trash Collection			
				Range/Microwave			
				Refrigerator			
				Other			
				Total			

form HUD-52667 (12/97)
ref Handbook 7420.6

UTILITY ALLOWANCE SCHEDULE (continued)

Allowances for Tenant-Furnished Utilities and Other Services

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
Office of Public and Indian Housing

OMB Approval No. 2577-0168
(exp. 4/30/2018)

Locality		Unit Type		Date (mm/dd/yyyy)			
Palm Beach County, FL		Flat/Garden/High Rise Apt		01/01/19			
Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating	a. Natural Gas	3.00	3.00	4.00	5.00	7.00	9.00
	b. Bottle Gas	5.00	6.00	6.00	9.00	11.00	13.00
	c. Electric	3.00	3.00	4.00	5.00	5.00	5.00
	d. Fuel Oil						
Cooking	a. Natural Gas	3.00	3.00	4.00	4.00	5.00	5.00
	b. Bottle Gas	5.00	6.00	7.00	7.00	8.00	9.00
	c. Electric	4.00	5.00	6.00	6.00	7.00	8.00
	d. Fuel Oil						
Other Electric		17.00	20.00	24.00	29.00	34.00	41.00
Air Conditioning		27.00	31.00	38.00	47.00	55.00	64.00
Water Heating	a. Natural Gas	13.00	16.00	18.00	23.00	27.00	32.00
	b. Bottle Gas	23.00	28.00	32.00	42.00	49.00	58.00
	c. Electric	11.00	15.00	18.00	25.00	32.00	38.00
	d. Fuel Oil						
Water	a. City	27.00	29.00	33.00	40.00	48.00	59.00
	b. County	17.00	18.00	21.00	30.00	38.00	41.00
Sewer	a. City	20.00	23.00	30.00	39.00	47.00	53.00
	b. County	19.00	21.00	26.00	37.00	47.00	54.00
Trash Collection		19.00	19.00	19.00	19.00	19.00	19.00
Range		5.00	5.00	5.00	5.00	6.00	6.00
Refrigerator		3.00	3.00	3.00	3.00	4.00	4.00
Other - specify Customer Charge	a. Electric	8.01	8.01	8.01	8.01	8.01	8.01
	b. Natural Gas	11.00	11.00	11.00	11.00	11.00	11.00
Actual Family Allowances - To be used by the family to compute allowance. Complete below for the actual unit rented.				Utility or Service		per month cost	
Name of Family				Heating			
				Cooking			
Address of Unit				Other Electric			
				Air Conditioning			
Number of Bedrooms				Water Heating			
				Water			
				Sewer			
				Trash Collection			
				Range/Microwave			
				Refrigerator			
				Other			
				Total			

form HUD-52667 (12/97)
ref Handbook 7420.6

UTILITY ALLOWANCE SCHEDULE (continued)

Allowances for Tenant-Furnished Utilities and Other Services

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Public and Indian Housing

OMB Approval No. 2507-0168
(exp. 04/30/2018)

Locality		City of Lake Worth, FL		Unit Type		Single Family		Date (mm/dd/yyyy)		01/01/19	
Utility or Service		Monthly Dollar Allowances									
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR				
Heating	a. Natural Gas	4.00	4.00	5.00	7.00	9.00	11.00				
	b. Bottle Gas	6.00	7.00	7.00	10.00	12.00	15.00				
	c. Electric	4.00	5.00	6.00	7.00	7.00	8.00				
	d. Fuel Oil										
Cooking	a. Natural Gas	3.00	3.00	4.00	4.00	5.00	5.00				
	b. Bottle Gas	5.00	5.00	6.00	7.00	8.00	8.00				
	c. Electric	5.00	6.00	7.00	8.00	8.00	9.00				
	d. Fuel Oil										
Other Electric		20.00	24.00	28.00	34.00	41.00	48.00				
Air Conditioning		40.00	46.00	56.00	68.00	80.00	95.00				
Water Heating	a. Natural Gas	13.00	16.00	18.00	23.00	27.00	32.00				
	b. Bottle Gas	21.00	25.00	30.00	38.00	45.00	53.00				
	c. Electric	13.00	17.00	21.00	29.00	36.00	45.00				
	d. Fuel Oil										
Water	a. City	23.00	26.00	30.00	38.00	45.00	51.00				
	b. County										
Sewer	a. City	17.00	19.00	24.00	31.00	37.00	42.00				
	b. County										
Trash Collection		18.71	18.71	18.71	18.71	18.71	18.71				
Range		5.00	5.00	5.00	5.00	6.00	6.00				
Refrigerator		3.00	3.00	3.00	3.00	4.00	4.00				
Other -specify Customer Charge	a. Electric	31.40	31.40	31.40	31.40	31.40	31.40				
	b. Natural Gas	11.00	11.00	11.00	11.00	11.00	11.00				
Actual Family Allowances - To be used by the family to compute allowance. Complete below for the actual unit rented.				Utility or Service		per month cost					
Name of Family				Heating		\$					
				Cooking							
Address of Unit				Other Electric							
				Air Conditioning							
				Water Heating							
				Water							
				Sewer							
				Trash Collection							
				Range/microwave							
				Refrigerator							
Number of Bedrooms				Other							
				Total		\$					

Form HUD-52867 (12/97)
ref Handbook 7420.0

UTILITY ALLOWANCE SCHEDULE (continued)

Allowances for Tenant-Furnished Utilities and Other Services

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
Office of Public and Indian Housing

OMB Approval No. 2577-0169
(exp. 4/30/2018)

Locality		Unit Type					Date (mm/dd/yyyy)
City of Lake Worth, FL		Duplex/Row/Townhouse					01/01/19
Utility or Service	Monthly Dollar Allowances						
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	
Heating	a. Natural Gas	3.00	3.00	4.00	6.00	7.00	9.00
	b. Bottle Gas	6.00	6.00	6.00	9.00	10.00	13.00
	c. Electric	4.00	4.00	5.00	6.00	6.00	7.00
	d. Fuel Oil						
Cooking	a. Natural Gas	3.00	3.00	4.00	4.00	5.00	5.00
	b. Bottle Gas	5.00	5.00	6.00	7.00	8.00	8.00
	c. Electric	5.00	6.00	7.00	8.00	8.00	9.00
	d. Fuel Oil						
Other Electric	20.00	24.00	28.00	34.00	41.00	48.00	
Air Conditioning	40.00	46.00	56.00	69.00	80.00	95.00	
Water Heating	a. Natural Gas	13.00	16.00	18.00	23.00	27.00	32.00
	b. Bottle Gas	21.00	25.00	30.00	36.00	45.00	53.00
	c. Electric	13.00	17.00	21.00	29.00	35.00	45.00
	d. Fuel Oil						
Water	a. City	23.00	26.00	30.00	36.00	45.00	51.00
	b. County						
Sewer	a. City	17.00	19.00	24.00	31.00	37.00	42.00
	b. County						
Trash Collection	18.71	18.71	18.71	18.71	18.71	18.71	
Range	5.00	5.00	5.00	5.00	6.00	6.00	
Refrigerator	3.00	3.00	3.00	3.00	4.00	4.00	
Other -specify Customer Charge	a. Electric	31.40	31.40	31.40	31.40	31.40	31.40
	b. Natural Gas	11.00	11.00	11.00	11.00	11.00	11.00
Actual Family Allowances - To be used by the family to compute allowance. Complete below for the actual unit rented.				Utility or Service		per month cost	
Name of Family				Heating			
				Cooking			
Address of Unit				Other Electric			
				Air Conditioning			
				Water Heating			
				Water			
				Sewer			
				Trash Collection			
				Range/Microwave			
				Refrigerator			
Number of Bedrooms				Other			
				Total			

form HUD-52667 (12/97)
ref Handbook 7420.8

UTILITY ALLOWANCE SCHEDULE (continued)

Allowances for Tenant-Furnished Utilities and Other Services

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
Office of Public and Indian Housing

OMB Approval No. 2577-0169
(exp. 10/31/2018)

Locality		Unit Type		Date (mm/dd/yyyy)			
City of Lake Worth, FL		Flat/Garden/High Rise Apt		01/01/19			
Utility or Service	Monthly Dollar Allowances						
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Heating	a. Natural Gas	3.00	3.00	4.00	5.00	7.00	9.00
	b. Bottle Gas	5.00	5.00	6.00	8.00	10.00	12.00
	c. Electric	3.00	4.00	5.00	5.00	6.00	6.00
	d. Fuel Oil						
Cooking	a. Natural Gas	3.00	3.00	4.00	4.00	5.00	5.00
	b. Bottle Gas	5.00	5.00	6.00	7.00	8.00	8.00
	c. Electric	5.00	6.00	7.00	8.00	8.00	9.00
	d. Fuel Oil						
Other Electric		20.00	24.00	28.00	34.00	41.00	48.00
Air Conditioning		32.00	37.00	45.00	55.00	64.00	76.00
Water Heating	a. Natural Gas	13.00	16.00	18.00	23.00	27.00	32.00
	b. Bottle Gas	21.00	25.00	30.00	38.00	45.00	53.00
	c. Electric	13.00	17.00	21.00	29.00	38.00	45.00
	d. Fuel Oil						
Water	a. City	23.00	26.00	30.00	39.00	45.00	51.00
	b. County						
Sewer	a. City	17.00	19.00	24.00	31.00	37.00	42.00
	b. County						
Trash Collection		18.71	18.71	18.71	18.71	18.71	18.71
Range		5.00	5.00	5.00	5.00	6.00	6.00
Refrigerator		3.00	3.00	3.00	3.00	4.00	4.00
Other -specify Customer Charge	a. Electric	31.40	31.40	31.40	31.40	31.40	31.40
	b. Natural Gas	11.00	11.00	11.00	11.00	11.00	11.00
Actual Family Allowances - To be used by the family to compute allowance. Complete below for the actual unit rented.				Utility or Service		per month cost	
Name of Family				Heating			
				Cooking			
Address of Unit				Other Electric			
				Air Conditioning			
				Water Heating			
				Water			
				Sewer			
				Trash Collection			
				Range/Microwave			
				Refrigerator			
Number of Bedrooms				Other			
				Total			

EXHIBIT D:

RESPONDENT CERTIFICATION FORM

By signing below, the undersigned _____, as _____ of _____ (the Respondent), a _____ i.e. Florida corporation hereby certifies that the undersigned is duly authorized to sign this Respondent Certification Form on behalf of the Respondent and that this Respondent Certification Form shall be fully binding upon Respondent. Respondent hereby covenants and agrees to comply with the terms upon RFP HED.2022.5, all related Federal Regulations, and related Addenda and to attempt to negotiate in good faith with the County the terms of an agreement and will implement the response submitted by Respondent of the RFP. The Respondent further covenants and agrees that it has received all of the information referenced in the RFP, that Respondent fully understands the same, that Respondent completely and accurately completed the response submitted by Respondent pursuant to the RFP, that the information contained in such response submitted by Respondent is true and correct and that Respondent shall be bound by the terms and conditions of the RFP and the covenants, agreements and representations made by Respondent herein and in the response submitted by Respondent to the RFP.

Date of Execution by Respondent: _____, 2022.

RESPONDENT

By: _____
Signature

Its: _____
SEAL

Print Signatory's Name

The foregoing Respondent Certification Form was acknowledged before me this _____ day of _____, 2022, _____ the _____ of _____, a _____ (state and type of entity), who is personally known to me OR who produced _____ as identification and who did take an oath.

Notary Public

NOTARY PUBLIC

State of _____ at large

Print Notary Name

My Commission Expires

EXHIBIT E:

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 appeared _____ hereinafter referred to an Affiant who being by me first duly sworn, under 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 person or entity having a five percent (5%) or greater beneficial interest in the proposed HOME 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.
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.

FURTHER AFFIANT SAYETH NAUGHT.

By: _____, Affiant

The foregoing instrument was sworn to, subscribed and acknowledged before me this ____ day of _____, 2022, by _____, who is personally known to me OR who produced _____ as identification and who did take an oath.

(NOTARY SEAL BELOW)

Notary Signature: _____

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 HOME 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 F:

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

BEFORE ME, the undersigned authority, this day personally appeared _____ hereinafter referred to an Affiant who being by me first duly sworn, under 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.

FURTHER AFFIANT SAYETH NAUGHT.

By: _____, Affiant

The foregoing instrument was sworn to, subscribed and acknowledged before me this ____ day of _____, 2022, by _____, who is personally known to me OR who produced _____ as identification and who did take an oath.

(NOTARY SEAL BELOW)

Notary Signature: _____

Notary Name: _____

Notary Public State of Florida

EXHIBIT G:

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:

1. 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 H:

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



SOUTHPORT

DEVELOPMENT

Calusa Pointe Development Narrative

Calusa Pointe is a proposed 110-unit **Elderly** affordable housing development located in the Glades Region of Palm Beach County at the southeast intersection of SR 80 and CR 827, Belle Glade, FL (PCNs 04-37-44-05-01-025-0030 and 04-37-44-05-01-025-0040). The site is approximately 14.00 acres in total, zoned B-2, with access provided from County Road 827. Calusa Pointe is a part of the Palm Beach County Census Tract 82.03, which is a HUD designated Qualified Census Tract.

The developer, Southport Development, Inc. (“Southport”), is a national leader in the development of affordable housing and has developed numerous affordable housing communities throughout the country and more specifically throughout Florida. Based in Tampa, Southport has become a strong force in the industry utilizing their expertise in real estate, finance, and construction while working effectively with local government entities to expedite approvals in the development process. Southport’s principals and affiliates have developed over 140 affordable housing communities nationwide comprising nearly 14,000 units and consistently rank as one of the top 10 affordable housing owners in the Country. In Florida, Southport has proven extremely capable at receiving competitive funding awards from the Florida Housing Finance Corporation (9% Housing Credits, SAIL, HOME), having completed or started construction on over 50 projects to date that were financed in part with competitive funding awards from Florida Housing. Furthermore, Southport has recent experience in the challenges of developing new construction projects in Belle Glade given the unique soil conditions innate to the area having successfully constructed a 114-unit affordable housing community in the City that is now known as Calusa Estates. Calusa Estates leased up in record time and consistently remains nearly 100% occupied, which further supports the vast need there is for new affordable housing production in Belle Glade.

The site for Calusa Pointe is situated in a terrific location in Belle Glade and will provide convenient access to a wide array of commercial retail establishments and amenities for its tenants. Public transportation is located on CR 827 via Palm Tran with stops directly in front of the proposed community. A grocery store is also conveniently located adjacent to the proposed site, and within walking distance potential tenants will have easy access to employment centers, medical facilities, banking institutions, pharmacies and numerous public schools. Calusa Pointe is located within Census Tract 82.03 which has a current poverty rate of 41% based on the 2019 American Community Survey 5- year data, displaying the need for more affordable housing in the area.

The proposed development will include 110-units comprised of 1BR and 2BR unit types configured in 1 4-story concrete building with an elevator. All units and common areas will fully comply with all accessibility codes including ADA, UFAS, Section 504 and Fair Housing standards. The Midrise residential building will also include a leasing office and will also feature

a host of resident amenities including a picnic pavilion, community meeting room, a computer lab, walking trails through development, Wi-Fi connections, a library, a pond surrounded by open space, lush landscaping, and a sport court/shuffle board. This proposed elderly development will be constructed simultaneously as it's family demographic, sister site. The building will consist of slab on grade foundation systems, impact glass windows, and cementitious/Hardie Board siding with high quality architectural asphalt roof shingles.

The spacious units will also incorporate a host of "green" features including low VOC paint, low flow plumbing fixtures and toilets, the use of mold resistant products, energy star certified appliances, high efficiency HVAC equipment and water heaters, programmable thermostats and energy star rated windows to name a few. Additionally, Calusa Pointe will comply with the Green Building Standard through the Florida Green Building Coalition (FGBC). Southport has successfully complied with the FGBC requirements on numerous developments in the past and intends to apply these same standards with respect to green building practices to Calusa Pointe.

Southport is committed to a long term affordability period for Calusa Pointe, and if selected, will agree to extend the affordability for the community into perpetuity, **over and above the 50 year affordability required by the Florida Housing Finance Corporation**, ensuring this community will remain available for the low income residents of west Palm Beach County for the life of the project. All of the units at Calusa Pointe will be set-aside for low income tenants. As part of this application, Southport is proposing to set-aside 10% of the units (12-units) for tenants at 30% of the Area Median Income level (Extremely Low Income). The balance of the units will be reserved for tenants with incomes at or below 60% of the Area Median Income. Please see below for the proposed unit mix and income/rent set-asides.

<u>Bedroom Type</u>	<u># Units</u>	<u>AMI %</u>	<u>Gross SF</u>
1BR/1BA	52	60%	750
1BR/1BA (HOME)	6	28%	750
2BR/2BA	46	60%	850
2BR/2BA (HOME)	6	28%	850
Total/Avg.	110		

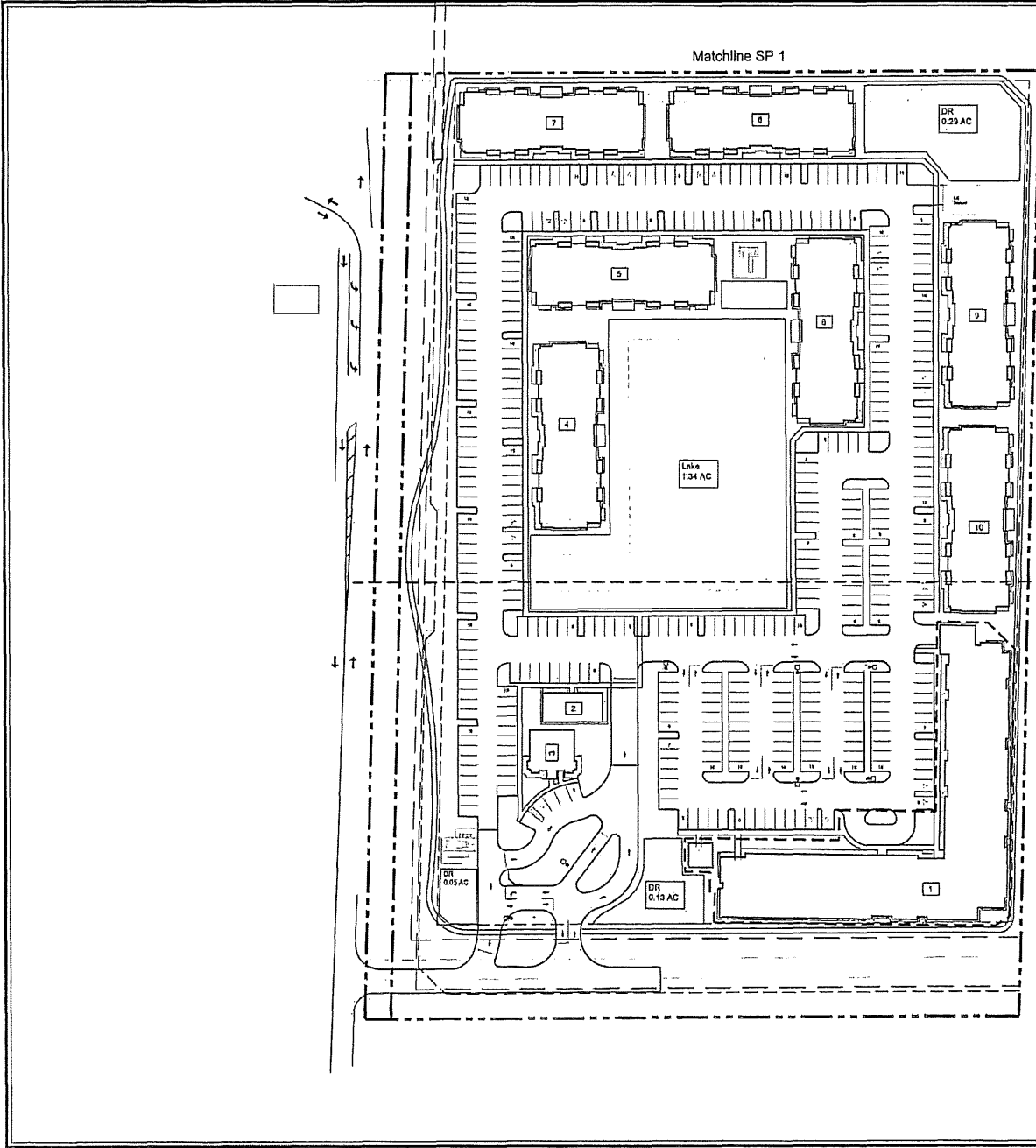
In addition to the various unit and community amenities provided at Calusa Pointe, the community will also make various resident programs available to its tenants at no cost. The community will offer an Adult Literacy Program, that will provide literacy tutor(s) who will provide weekly literacy lessons to residents in a private space on site. The community will also offer an Employment Assistance Program, which will provide for scheduled meetings and workshops at the property by a knowledgeable employment counselor providing instruction for the basic skills necessary for getting, keeping and doing well in a job or career. Additionally, Calusa Pointe will offer a Homeownership Assistance Program that will provide financial compensation and

incentives for long term residents, the proceeds of which can be used towards the purchase of a home.

Calusa Pointe (CP) will be in accordance with the requirements for the full amount of proximity points available as stated in FHFC RFA 202-202, please find the proximity score chart attached for reference. CP has a dynamic location that is in close proximity to various community Services; located 1.21 miles from a K&M Drugs for Pharmacy needs, just 0.11 miles from a Bowling Supermarket, 0.74 miles from Glades Central Community High School and 0.54 miles from Pioneer Park Elementary. These short distances allow CP to qualify for the overall Community Service preference with a total of 13.5 points

Southport understands the need for public transit to be available to its residents. Also included in the proximity chart, is the public transit proximity calculations. Calusa Pointe is located just 0.09 and 0.11 miles from Bus stops for route 47 Northbound and 47 Southbound which connect residents all the way from Canal Pointe to South Bay, these stops will be awarded the full 4 available points. Calusa Pointe is not only conveniently located next to the above-mentioned transit and service locations, it's also located less than half a mile from the Palm Beach County Career Source, west career center. This thriving employment center will offer residents a hands-on approach to start their career with career counselors, business coaches and training available.

The proposed Calusa Pointe development provides an exciting opportunity for Palm Beach County to provide additional much needed affordable housing alternatives to a submarket in dire needs of this type of housing. Given the extraordinary site conditions in Belle Glade, it is virtually impossible for new development to take place without some form of subsidy, so we are extremely pleased that Palm Beach County has recognized this and is taking the steps needed to generate new development activity in the Glades region of Palm Beach. Southport is eager to partner with Palm Beach County in making this project become a reality, and is confident that Southport's development experience, financial resources, and sense of community needs and awareness will ensure that the residents and the County will be proud of the resulting community.



Development Team

Developer *Southport Financial Services, Inc.*
2422799 Gray St
Tampa, FL 33609

Planner and Landscape Architect

Morton Planning and Landscape Architecture
2380 RCA Blvd Ste 2010
Palm Beach Gardens, FL 33410

Survey and Civil Engineer

Kashbaum & Associates
711 N. Dix Hwy Ste 301
West Palm Beach, FL 33407

Architect

Architectonica Studio
7900 Gr. Jack Jr. St. W. Ste 603
St. Petersburg, FL 33704

Traffic Engineer

McMahon Associates, Inc.
2090 Palm Beach Lakes Blvd Ste 402
West Palm Beach, FL 33409

Site Data

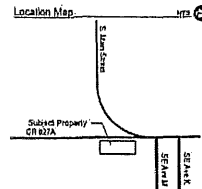
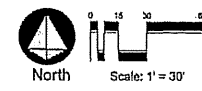
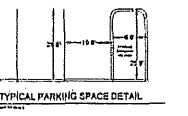
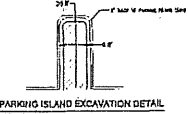
Name of Project	Calusa Point
Property Control Number(s)	04374405010260020, 04374405010260030
Future Land Use	CD4
Zoning	B-2
Use	URS
Existing Use	Agriculture
Proposed Use	Residential
Gross Area	(850,823 SF) 19.8 AC
Processed ROW Dedication	(21,884 SF) 0.63 AC
Net Site Area	(828,939 SF) 19.17 AC
TAZ	1712

Building Data

Total Square Footage	352,770 SF
Building 1 - Multifamily, Age Restricted (110 DU, 4-Story)	128,412 SF
Building 2 - Maintenance Building (1-Story)	1,800 SF
Building 3 - Clubhouse/Office Building (1-Story)	2,000 SF
Building 4 - Multifamily (24 DU, 3-Story)	31,500 SF
Building 5 - Multifamily (24 DU, 3-Story)	31,500 SF
Building 6 - Multifamily (24 DU, 3-Story)	31,500 SF
Building 7 - Multifamily (24 DU, 3-Story)	31,500 SF
Building 8 - Multifamily (24 DU, 3-Story)	31,500 SF
Building 9 - Multifamily (24 DU, 3-Story)	31,500 SF
Building 10 - Multifamily (24 DU, 3-Story)	31,500 SF
Total Dwelling Units	276 DU
Multifamily	188 DU
Multifamily, Age Restricted	110 DU
Density (276 DU/14.0 AC)	19.8 DU/AC
Total Parking Provided	417 spaces
Multifamily (1.5 spaces/ DU)	252 spaces
Multifamily, Age Restricted (1.5 spaces/ DU)	155 spaces
Total Parking Provided	418 spaces
Dry Detention Required	(13.3%) 1.79 AC
Dry Detention Proposed	(13.4%) 1.81 AC

Site Area Percentages

Net Site Area	(828,939 SF) 19.17 AC
Ground Floor Area (10.8%)	(89,512 SF) 2.27 AC
Drainage - Dry Detention (13.7%)	(80,546 SF) 1.83 AC
Impervious - Vehicular Area (28.5%)	(187,766 SF) 4.85 AC
Pavement (41.0%)	(240,877 SF) 6.33 AC



Calusa Point
Prepared for Southport Financial Services
City of Belle Glade, Florida

REVISION	
2022-03-27	Submittal
2022-05-26	Revised

SCALE	AS SHOWN
DRAWN	KR
CHECKED BY	JMM
FILE	
DATE	2022-05-26

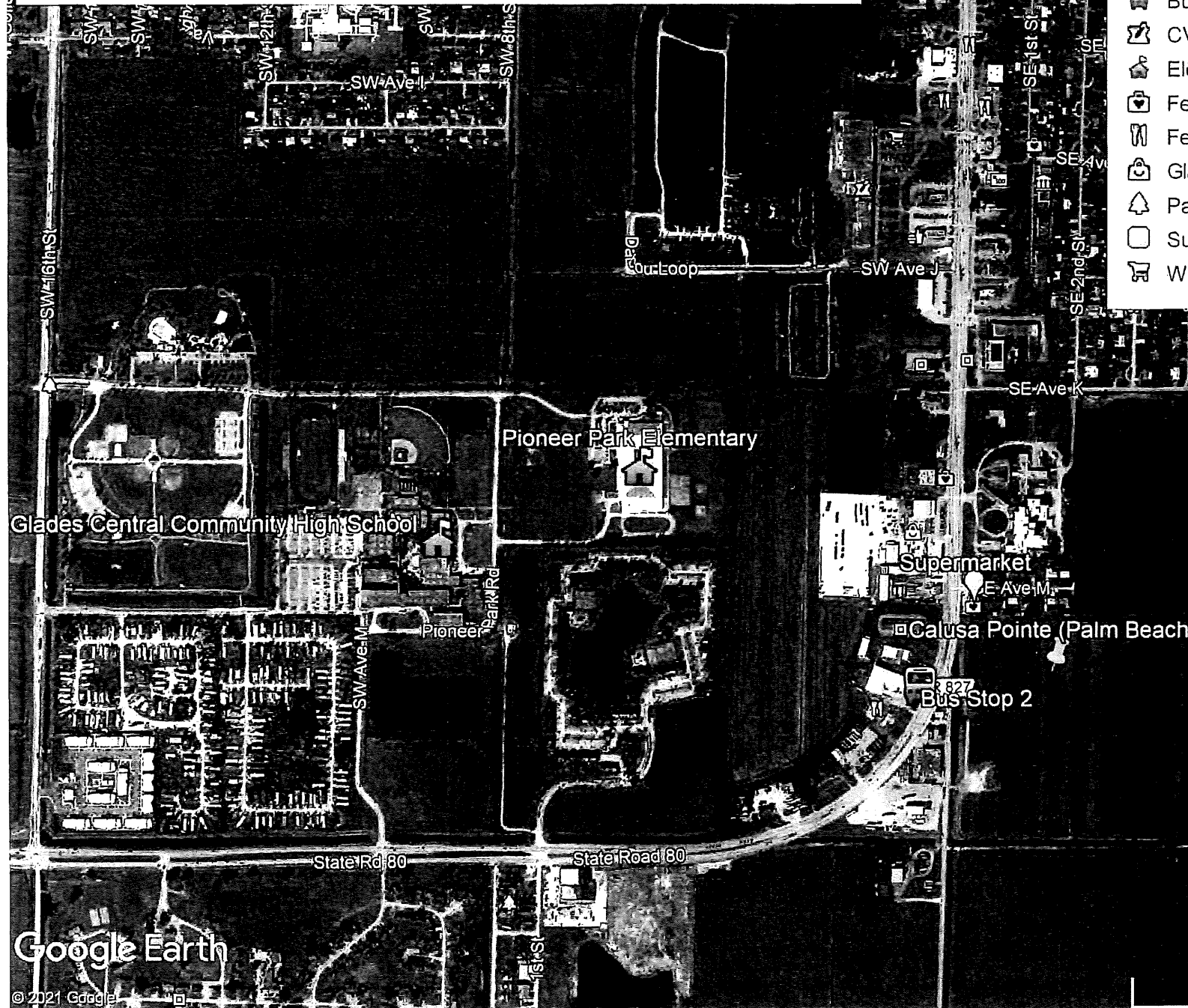
SP
Sheet 2 of 2

Calusa Pointe

600 Feet east at the Southeast intersection of SR 80 and CR 827A, Belle Glade, Florida

Legend

- Calusa Pointe (Palm Beach)
- Bus Stop 2
- CVS/pharmacy
- Elementary and High Schools
- Feature 2
- Feature 3
- Glade & Grove Supply Co Inc
- Park
- Supermarket
- Winn-Dixie



Google Earth

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2000 ft



