

REQUEST FOR PROPOSALS
BY
THE
JEFFERSON COUNTY DEPARTMENT
OF
COMMUNITY SERVICES

Suite A-430
716 Richard Arrington Jr. Blvd. N.
Birmingham, Alabama 35203

HOMEOWNER HOUSING
DEVELOPMENT

JEFFERSON COUNTY, ALABAMA
MARCH 20, 2024



EQUAL HOUSING
OPPORTUNITY

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PURPOSE OF REQUEST FOR PROPOSALS

Jefferson County is a Participating Jurisdiction (PJ) and receives federal funding from the United States Department of Housing and Urban Development (HUD) through the HOME Investment Partnerships Program which was created by the United States Government under Title II of the Cranston-Gonzales National Affordable Housing Act as described in the Catalogue of Financial Domestic Assistance C.F.D.A. #14.239 to address the housing needs of low and moderate income residents of the Jefferson County Community Development Consortium. Funds for these programs may be spent anywhere in the Jefferson County Community Development Consortium, which consists of all of Jefferson County outside of the cities of Birmingham, Bessemer, Sumiton, and Helena.

One of the critical housing needs which these programs are designed to meet is that of quality affordable homeownership opportunities for lower income* citizens. Housing should be located in areas where there is a clear and recognizable shortfall of such housing and specifically address such areas as energy efficiency and low maintenance. Such housing should further be convenient to shopping, entertainment and medical services.

The purpose of this Request for Proposals is to encourage the development of affordable homeownership opportunities for lower income* citizens. Proposed projects may include new construction or acquisition/rehabilitation or a combination of both. To achieve this goal, Jefferson County is willing to consider proposals for the use of HUD funds as a construction/permanent financing source and may be used in conjunction with other sources of financing compatible with HOME Program regulations.

Community Housing Development Organization (CHDO) designation may also be requested under this RFP if in conjunction with a housing development proposal. Organizations **must** meet the more stringent HUD requirements under the new 2013 HOME Program rule to be considered for designation.

*HOME rules require that all purchasers have household incomes at or below 80% of Area Median Income.

APPLICATION REQUIREMENTS AND DEADLINES

One original (so marked) and one (1) copy of each application must be submitted in separate 3 ring binders and tabbed and numbered as indicated. Additional information pertinent to the application may be submitted at the rear of the application. In addition, please provide another copy in electronic format.

A \$500 non-refundable fee must accompany the application. The fee must be in the form of a check (no cash accepted). If the application fee is returned due to insufficient funds, the application will terminate. Regardless of the funding decisions, the application fee is non-refundable.

Sealed proposals must be submitted to the Department of Community Services (in-hand) at the below address by no later than **5:00 P.M. on April 22, 2024**. Please clearly mark "Proposal for Homeowner Housing Development 2023."

Submit proposals to the address below:

Jefferson County Department of Community Services
Suite A-430
716 Richard Arrington Jr. Blvd. North
Birmingham, AL 35203

Copies of the complete Request for Proposals can be picked up at the above address or requested via e-mail to Corleen Farley at farleyc@jccal.org. All requests by means other than by in-person visits to the above noted Office will be responded to via e-mail or United States Postal Service. All questions should be addressed to Michelle Pickett at (205) 325-5761.

SERVICE AREA

The Service Area for this Agreement is the Jefferson County Community Development Consortium which consists of all of Jefferson County outside of the cities of Birmingham, Bessemer, Sumiton, and Helena.

FUNDING CONTINGENCIES

All funding is contingent upon an Environmental Review, the approval of the Jefferson County Commission and in some circumstances, a 'Release of Funds' from HUD. Developers must agree that the provision of any funds to their project(s) is conditioned on the County's determination to proceed with, modify or cancel the project based on the results of a subsequent environmental review.

Funding of Proposals will further be contingent upon receipt of federal HOME funds from the U.S. Department of Housing & Urban Development (HUD). Should Jefferson County's HOME allocation be reduced or eliminated, no claim may be made against the Jefferson County General Fund or other resources regardless of the status of the proposal(s) or issuance by the County of a Commitment Letter(s) for HOME funding. As a Participating Jurisdiction, Jefferson County is responsible for the administration of the HOME Program under federal HOME regulations and HUD requirements. It is the intent that this RFP be issued and proposals underwritten in compliance with said regulations and requirements (see the new HOME Program Final Rule published July 24, 2013). HUD is in the process of updating HOME Program Notices and other guidance to reflect changes in the regulations/requirements. Should the regulations and requirements change at any time, the County reserves the right to alter its Program to ensure compliance up to and including terminating any Commitment issued if the project does not meet new HOME regulations and/or HUD requirements. The County, its elected officials, employees and agents shall not be held responsible or liable for any losses incurred from claims, suits, damages, and costs and expenses of any kind or of any nature that any Proposing Firm may suffer, incur or pay arising out of decisions by the County concerning any proposal, application, loan decision(s), or action(s)

associated with the administration of the HOME Program. The County reserves the right to select one or more proposals or reject all proposals submitted.

GOOD STANDING

No loan application will be processed for any borrower or related entity which is not in good standing with the Jefferson County Commission; the Alabama Housing Finance Authority or any other state Housing Finance Authority; the Alabama Department of Economic and Community Affairs (ADECA); the U.S. Department of Housing; and Urban Development or the USDA Office of Rural Development. An applicant can be denied consideration for funding if the applicant or its related parties have a history of default or non-performance under any agreement, payment delinquencies, bankruptcy, foreclosure or activities determined to be unsound or unlawful.

NUMBER AND TYPE OF UNITS

Applicants may submit a proposal for new construction, acquisition/rehabilitation or a combination of both activities. This RFP is for single-family units or townhomes only. No condominiums or manufactured homes are permitted. Although there is no maximum, the number of units proposed must be substantiated by a market study or other evidence of demand such as a waiting list of pre-qualified buyers, appropriate for the site size and conditions, and meet financing and underwriting criteria.

MARKETING AND SALE OF UNITS – Developers are responsible for the marketing and sale of all units. Although not required, developers that have offices located in Jefferson County are preferred.

BUYER REQUIREMENTS – The following requirements pertain to the sale of the homes to eligible buyers:

- **Occupancy by Low/Moderate Income Households** – All units assisted with HOME funds must serve households with incomes at or below 80 percent of the Area Median Income (AMI). Buyers must be qualified using the Part 5 (Section 8 Program) definition for annual (gross) income.
- **Buyer Note and Mortgage** – All HOME funds will be secured by a mortgage and note and will be provided in the form of a 0% loan which may be amortized or deferred and is consistent with the Affordability Period requirements listed below.
- **Primary Residence** -- Homes acquired, constructed/rehabilitated and sold under this RFP must be in use as a primary residence.
- **Homebuyer Counseling** – All homebuyers that are assisted through HOME funds must be provided at least 8 hours of homebuyer counseling through a counseling agency that meets HOME Program requirements. Proposed homebuyer counseling is subject to approval by County. Potential homebuyers must provide a copy of a Homebuyer Education Certificate of Completion, prior to closing.

AFFORDABILITY PERIOD – HOME assisted units must meet the affordability requirements for not less than the applicable period specified, beginning after project completion. Affordability requirements are imposed by a note, mortgage, and restrictive covenant provided by Jefferson County and naming the County as mortgagee. The length of the Affordability Period is contingent upon the amount of HOME funds provided to the buyer as follows:

<u>HOME Funds Per Unit</u>	<u>Affordability Period</u>
Less than \$15,000 HOME funds/unit	5 Years
\$15,000 - \$40,000 HOME funds/unit	10 Years
Greater than \$40,000 HOME funds/unit	15 Years

During this period, homebuyers must occupy the unit as their principle residency, and, if the home is resold, must repay HOME funds due according to the terms of the note and mortgage.

SALE OF UNITS – The following requirements pertain to the sale of the units:

- The 2013 HOME Rule requires that properties must be sold to eligible homebuyers within nine months of the date of completion of construction or rehabilitation. If there is not ratified sales contract on a home within nine months of the date of completion, the unit must be rented to an eligible tenant for a 20-year Period of Affordability in accordance with the HOME rental requirements at 24 C.F.R. 92.252, or the HOME funds must be repaid.
- Developers are required to maintain a ready pool of credit worthy and income-eligible homebuyers and/or “pre-sell” units to ensure this deadline is met.
- Title must be transferred to buyers in fee simple.
- All other financing provided to homebuyers is subject to approval by County. Excessive interest rates, adjustable-rate mortgages, and other lending products that are inappropriate for lower income purchasers are not allowed.
- CHDO set-aside funds are limited to 10% of the total development costs as direct assistance to a homebuyer (e.g. down payment assistance). Any remaining direct assistance to homebuyers must come from other private or public sources (including regular HOME funds).

AVAILABLE FUNDING AND LIMITATIONS PER UNIT

Jefferson County may make a *preliminary award* in compliance with HUD Notice: CPD-15-09 of up to \$530,000.00 in HOME CHDO set-aside funds. The HOME investment may not exceed HOME maximum per unit subsidy limits including project soft costs

incurred by Jefferson County. The County will provide HOME funds in the form of construction/permanent financing. No grants will be awarded, and funding commitments are not transferable. CHDO applications will receive first priority.

FEES

- Application Fee: \$500.00
- Loan Closing Costs: The developer is responsible for all closing costs incurred in connection with any HOME Program construction loan(s), inclusive of all Jefferson County-appointed attorney's costs, if applicable.

INCOME RESTRICTIONS

To qualify as affordable housing, HOME units must be sold only to households with certain incomes regulated by the program to be affordable to lower income households. Please note that HUD sets income limits annually and are subject to change.

Current HOME income limits for the Birmingham-Hoover MSA are available in Appendix C of the CHDO Designation Application and at:

https://www.huduser.gov/portal/datasets/home-datasets/files/HOME_IncomeLmts_State_AL.2023.pdf

HOME rules require that all purchasers have household incomes at or below 80% of Area Median Income.

HOME PROGRAM PERIOD OF AFFORDABILITY - ENFORCEMENT

Projects funded under the HOME Program are subject to a compliance period of up to 15 years known as the Period of Affordability (see 24 C.F.R. 92.254). Failure to comply with all HOME requirements during this time shall be a condition of default under the loan documents executed at closing. In addition, Jefferson County requires that a Declaration of Restrictive Covenants be filed in Probate Court. The County's HOME declaration must be recorded senior to all financing liens, as applicable. Applicants must ensure proposed lenders will agree to the recording order and structure of the declaration such that HOME restrictions will be binding upon future owners following any foreclosure.

COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS

The HOME program strives to promote partnerships between local government and nonprofit organizations and expand nonprofit organizations' capacity to develop and manage decent and affordable housing. To assist in achieving these purposes, the County is required to reserve not less than 15 percent of its HOME allocations for investment in housing to be developed, sponsored, or owned by Community Housing Development Organizations (CHDOs). A CHDO is a specific type of nonprofit organization as defined in 24 CFR part 92. Although many nonprofit organizations share common characteristics with CHDOs, not all non-profits qualify as CHDOs under the HOME program. Only nonprofit organizations that have been certified by the County as CHDOs can receive funds from the County's CHDO set-aside.

Prior to committing funds under this RFP, the County will review the status of any organization seeking funds from the CHDO set-aside to ensure that it meets all HOME requirements and that it has sufficient staff capacity to carry out the project. Organizations **must** meet the more stringent HUD requirements under the new 2013 HOME Program rule to be considered for designation. The County's CHDO Threshold Checklist is a required submission item.

An application for CHDO status may be obtained by contacting our office. The completed CHDO application **must** accompany the proposal.

RELOCATION OF OWNERS, TENANTS OR BUSINESSES

Relocation of any kind is not permitted for any project. Developer is responsible for ensuring that no tenants are displaced as a result of the acquisition of existing units. Certification by the seller will be required.

MBE/WBE PARTICIPATION

Firms are encouraged to utilize the skills and services of minority businesses in the fulfillment of the contractual responsibilities pertaining to this project. Developers must maintain a MBE/WBE plan that demonstrates marketing and solicitation of MBE/WBE businesses and contractors for the construction of the project.

Jefferson County, in carrying out projects as authorized under the Housing and Community Development Act of 1974, is required under 1365 of Title 24, Housing and Urban Development Act of 1968 to take affirmative action to assure that employable persons and businesses in our project area (Jefferson County) are utilized to the greatest extent feasible with particular emphasis being placed upon the hiring of women and minorities as both employees and where applicable, subcontractors. Jefferson County is sincere in its effort to insure that both the letter and intent of the regulations are complied with and Jefferson County will monitor firm's efforts in this area.

SECTION 3

Developers must maintain a Section 3 plan that demonstrates a marketing plan to include Section 3 contractors in the development of the project. All contracts and subcontracts must contain the required Section 3 clause.

CODE OF CONDUCT

The developer covenants that no person who presently exercises any functions or responsibilities in connection with the program has any personal financial interest direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The developer further covenants that in the performance of this Agreement, no person having any conflict of interest shall be employed. Any interest on the part of the Developer or its employees must be disclosed to the County provided, however, that this paragraph shall be interpreted in such a manner so as not to unreasonably impede the statutory requirements that maximum opportunity be provided for employment of and participation by low and moderate income residents of the area.

SELECTION CRITERIA

The preliminary funding commitments resulting from this Request for Proposals shall be determined by a scoring system including, but not necessarily limited to, the factors shown below. The overall quality of the application for this project will be considered. Regardless of strict numerical ranking, the scoring does not operate to vest in an applicant or project any right to a reservation or commitment of HOME funds or other funds in any amount. Jefferson County will, in all instances, reserve and commit funds consistent with sound and reasonable judgment, prudent business practices and the exercise of its inherent discretion to ensure that:

- Developers awarded funds are both capable and fiscally sound.
- The neighborhood market will support the proposed housing.
- The project's financial assumptions and projections are reasonable, have adequate sources for construction and permanent financing, and meet subsidy layering considerations.

Each proposal will be compared to our minimum requirements and to each other to determine which proposals(s) are the strongest. Points will be designated for each factor of consideration with a maximum score of 100 points. Applicants may qualify for up to 50 Extra Points. Extra points requested must be identified by applicant to receive credit.

Projects meeting the minimum threshold will be scored. Eligible applications will be evaluated by County staff according to the following selection criteria:

Applicant Capacity (30 points) - Applicants must have a proven record of development and/or redevelopment experience with comparable activities in similar neighborhoods. Applicants demonstrating "capacity" will:

- Have a recent history of development and/or redevelopment of projects of a similar type and scope in the County that includes high quality affordable residential products delivered on-schedule and on-budget.
- Have adequate staffing levels with appropriate skills & qualifications to complete proposed project within stated timeframe.
- Have relevant real estate and construction/rehabilitation experience, including experience working with federally-funded housing development.
- Provide realistic estimated cost projections and schedules and show a track-record of meeting projected time-lines for any previously authorized County funded projects.
- Have current financial statements and independent audits that reflect adequate financial capacity and a history of financial soundness.
- Be able to provide the insurance coverage noted in this RFP.

Readiness to Proceed (30 points) – Under the 2013 HOME Program rule, units must be sold to an eligible purchaser within 9 months of completion or any HOME

funds invested must be returned to HUD or the unit converted to rental for a 20 year Period of Affordability. Applicants must have the ability to implement program activities within 30-45 days of commitment of funds and to meet required milestones within 12 months of commitment. Due to strict federal deadlines, projects that do not reach milestones in a timely manner will be subject to rescission of HOME funding. Applicants demonstrating “readiness” will:

- Submit an application with as specific and detailed a proposal as possible, including evidence of research to determine HOME-eligible sites and progress toward site acquisition.
- Identify a list of strategically located properties that meet program and eligibility requirements.
- Present evidence of site control or clear indications of timely schedule for obtaining site control.
- Present clear preliminary financial analysis that includes cost estimates for acquisition and construction/rehabilitation, sales price estimates, and resultant subsidy request to County and other public sources.
- Sufficient financing/leveraged funds secured to complete project(s), including letters of commitment or of interest from recognized community development lenders.
- Ability to submit ALL required contract-related documents (insurance certifications, etc.) within two weeks of preliminary notification of recommendation for funding.

Marketing Plan (30 points) – Applicants must submit a comprehensive marketing plan with a description of the resources available to implement the plan. Applicants in this category will:

- have a list of buyers with pre-qualification letters from a first mortgage lender and/or;
- have a waiting list of potential buyers and/or;
- have staff with experience in marketing units to lower income homebuyers or a letter of commitment and resume from a professional real estate agent with experience in marketing units to lower income homebuyers;
and
- have a comprehensive marketing plan designed to attract eligible homebuyers with a description of how the plan will be implemented and includes efforts to Affirmatively Further Fair Housing.

Leveraged Funds (10 points) – Additional private/public funds are strongly encouraged. Points will be awarded for financial commitments based upon the percentage of total development costs. Applicants should submit evidence of availability of leveraged funds.

Extra Points

1. Energy Efficiency - up to 5 points.
2. Innovative Design - up to 5 points (new construction).
3. Low Maintenance - up to 5 points.
4. Qualifying HOME Match and/or Program Income - up to 10 points. (Extra points will be awarded for projects with qualifying HOME Program Match (see 24 C.F.R. 92.220 and HUD CPD Notice 97-03 at <https://www.hudexchange.info/resources/documents/Notice-CPD-97-03-HOME-Program-Match-Guidance.pdf>) and/or provide HOME program income to the County through fully or partially amortizing permanent loans).
5. Increased affordability for the homeowner – up to 15 points.
6. Homebuyer Education/Counseling activities planned beyond minimum requirement – up to 5 points.
7. Experience qualifying buyers using the Part 5 (Section 8 Program) definition for annual (gross) income - up to 5 points.

Submission Contents & Instructions

Applicants must submit the following in response to this RFP:

MINIMUM THRESHOLD REQUIREMENTS

The Jefferson County Department of Community Services requires that developers submitting proposals do so in the manner prescribed below. This information should substantiate the capacity and ability of the developers to provide financing, marketing, and homebuyer counseling/education to homebuyers. It is also important to list projects completed of a similar nature that demonstrate this capability. Priority will be given to proposals submitted by developers who have a strong history of successfully completing construction of single-family housing **and** selling the units to lower income buyers.

Any proposal submitted without all of the information requested below may be considered incomplete and non-responsive. Additional time may be granted for submission of reports prepared by third parties (i.e. Phase I, Market Study, etc.) if requested in writing at time of submission. The County reserves the right to set a final date to accept such reports at a later date to allow time for processing.

This list may not be all inclusive. Additional documentation may be required. The County reserves the right to request additional information or documentation at any stage during the process to request that changes be made to a proposal, and to fund portions of any given proposal. Applicants will be expected to respond and comply with any additional requests in a timely manner. Failure to provide requested information on a timely basis will result in a proposal being deemed non-responsive and ineligible for further consideration.

All exhibits (other than organizational documents, etc.) must be no more than 6 months old. All third-party reports must state that they are prepared for or may

be relied upon by Jefferson County, Alabama.

SUBMISSION REQUIREMENTS

STEP 1

If requesting CHDO designation, please contact Ms. Michelle Pickett of Department of Community Services at (205) 325-5761 or by email at pickettm@jccal.org for a copy of the CHDO application. Complete the CHDO application and submit with your proposal.

STEP 2

Submit all of the information listed below in the proposal binders with tabs A through F with each exhibit numbered within each tab as listed below:

TAB-A: PROJECT DESCRIPTION

1. EXECUTIVE SUMMARY:

An Executive Summary should contain a brief synopsis of the proposed development and contain number of units, location, project costs and the proposed financing. The Summary should also have a brief description of the proposed units (frontal elevation and floor plan only-detailed drawings not required with RFP or photos of existing units), census tract(s), site map, tax map with site and Parcel ID# marked, proposed site plan, and accessibility/adaptability provisions.

2. PROJECT SCHEDULE:

Provide a projection of how many units will be completed and the timeframe for completion. Identify key tasks and completion dates that identify how your project is ready to proceed. Describe the work to be performed and method of approach.

3. ORGANIZATION INFORMATION AND CAPACITY:

Provide an overview of the organization's history and experience in developing affordable housing and homeownership opportunities. Identify your experience in working with County programs, including the CDBG or HOME program.

TAB-B: DEVELOPER CAPACITY

1. Provide names, addresses, resumes, professional certifications/licenses, and DUNS Numbers of all members of the development team (including contractors, construction managers, real estate brokers, housing counselors, etc.). List development team member(s) responsible for day-to-day project management through completion of the sale of all units. Describe any existing commitments that would impact your ability to implement the project immediately. Provide

references that the County may contact to verify experience.

2. Disclose any identity of interest and provide details of the relationship(s). Disclose all other fees proposed to be earned by the developer or affiliates of the developer for each unit developed under this RFP.
3. Provide resume of corporate experience in the development, marketing and sales of similar type projects. If you propose to use a third party marketing company/real estate agent, please specify. Information should include a list of projects developed and/or rehabilitated and sold; their locations, number of units; and length of time required for construction/rehabilitation and sale.
4. Proof of IRS 501 (c) (3) Status.
5. Provide proof that all members of the development team are registered with the System for Award Management (SAM).
6. If applying as a CHDO, complete and submit the included CHDO Application along with required documentation (CHDO status not required).
7. Provide certified copies of all of the organizational documents including Articles of Incorporation and Partnership Agreements.
8. Provide current financial statements for developer and any guarantor(s) to establish the financial capacity of the developer to undertake and complete the proposed project.
9. Most recent corporate audit or reviewed financial statement.
10. Most recent tax return for developer (990s for non-profit developers).
11. Disclose any persons employed by your agency or any development team member and their employees that have been debarred by HUD or are otherwise restricted from entering into contracts with any federal agency.
12. Buyers of HOME-assisted units must receive housing counseling. Describe how you will ensure that qualified homebuyers receive the required housing counseling under the HOME guidelines. Provide evidence of ability to satisfy this requirement (existing program description, copies of curriculum and training materials or Letter of Support from a HUD approved housing counseling agency).

TAB-C: FINACIAL

1. Sources and Uses of Funds Statement that lists all Sources (both private and public) of funds with dollar amount(s) and timing of availability for each source and all Uses of funds (for example acquisition costs, site preparation and infrastructure costs, rehabilitation/construction costs, financing costs,

professional fees, developer fees and other soft costs) associated with the project. (Please note that any allocation of HOME funds including all hard, soft and project delivery costs incurred by County cannot exceed the HUD 221(d)(3) limits).

2. Letter of Commitment from private lender for any construction and permanent financing that lists all terms and conditions for all mortgages, grants, and bridge loans. Applicants must authorize private lender(s) to release to the Jefferson County Department of Community Services the developer's corporate credit report (e.g. Dun & Bradstreet) or personal credit report (e.g. sole proprietors, S-corps, etc.).
3. Letter(s) of Commitment or copy of Grant Agreement(s) from any other funding source listed in the Sources and Uses to include grants or donations of cash, materials, labor or services from public or private sources and developer equity contributions.
4. Detailed construction budget with schedule of values. For new construction projects, include per unit cost and cost per square foot.
5. Line-item estimate of all project soft cost (developer fees, realtor fees, appraisals, inspections, marketing, carrying costs, etc.). If rehabilitating properties that were constructed prior to 1978, documentation of lead-based paint testing or documentation that property was constructed after 1978 will be required prior to acquisition. Include estimate for testing, if applicable. Describe the methods you will utilize to ensure cost effectiveness of your project.

Project Costs: All project costs must be reasonable and customary. The County reserves the right to review any line-item cost to ensure that total project costs are not excessive. Additionally, HOME projects will be subject to the following specific cost limitations:

- The maximum allowable developer fee is 15% of total development costs but excluding the developer fee, developer overhead, or any developer consulting fees. Developers may not charge for other fees such as project management fees in addition to developer fee.
 - Maximum allowed builder General Requirements, Overhead, and Profit are 6%/2%/6%.
 - Acquisition costs are limited to fair market value as determined by a third-party appraisal.
 - Realtor fees are limited to 5% of sales price.
6. Provide evidence of insurability for the insurance standards listed below:

The Developer shall maintain for the duration of the contract(s) at its own cost and expense; insurance against claims for injuries to persons or damages to property; including contractual liability, which may arise from or in connection with the performance of the work by the Vendor; its agents; employees, representatives; assigns or subcontractors. This insurance shall cover such claims as may be caused by any negligent act or omission.

Additional Insured Status: Jefferson County, Alabama must be listed as additional insured for liability arising out of activities performed by or on behalf of the Contractor.

Special Conditions: The insurer must indicate on the Certificate of Insurance that it agrees to defend; indemnify; and hold harmless Jefferson County, Alabama; its elected officials; employees; and agents from any and all complaints arising out of work or duties to be performed under this contract between the local jurisdiction and the Vendor.

Amounts: All insurance shall be written up for the following limits of liability:

Bodily Injury Liability Insurance: \$1,000,000.00 each person,
\$1,000,000.00 each occurrence.

Property Damage Liability Insurance: \$1,000,000.00 each person,
\$1,000,000.00 each occurrence.

Professional Liability: \$1,000,000.00.

TAB-D: SITE INFORMATION

1. For new construction submit proof of ownership (warranty deed) for the proposed development site(s)/existing units or if you do not have proof of ownership, you must submit proof of site control as evidenced by an option signed by the seller. For acquisition of existing units see (b) below. Because of regulations that impact the varying lengths of the approval process for each property, it is strongly suggested that the applicant (i.) secure, at a minimum, a six-month purchase option with an option to renew for an additional six months and (ii.) obtain seller's written agreement not to disturb the site until all environmental issues have been cleared.
 - a. *Please Note: An Environmental Review is required for ALL projects including scattered site acquisition and rehabilitation as well as new construction. A Release of Funds from HUD may be required. Developers are prohibited from undertaking or committing or expending any funds (including non-federal funds) to any physical or choice-limiting actions on the site prior to an environmental clearance as required by Part 58.* Physical and choice limiting actions include, but are not limited to, property acquisition, demolition, movement, rehabilitation, conversion, repair or construction. This prohibition applies regardless of whether federal or non-federal funds are used, and taking a choice limiting action prior to completion of the required environmental clearance process will result in the denial of any HOME funds from the County.

- b. Developers may enter into option agreements (i.e., exclusive right of the buyer to purchase a property at a specific price within a specified time period without obligation to purchase); or for acquisition of existing single family and multifamily residential buildings; a non-legally binding agreement (that establishes that there is no obligation on the part of the buyer to purchase the property; that acquisition will proceed only if the property is determined environmentally acceptable; and the deposit is a reasonable amount and refundable or if not refundable, is a nominal amount of the purchase price).
2. Uniform Relocation Act Voluntary Acquisition/Environmental Review Informational Notice to Seller on your letterhead (use language in sample letter attached or request a *Word* version by email). Deliver to Seller **Certified Mail, return receipt requested** noting the date of delivery and include receipt with copy of letter in your application. Please note that withholding information from the seller about the market value of property being purchased for a HUD funded project (as established by the appraisal or other valuation such as the market value as set by the Jefferson County Board of Equalization) violates the URA and will result in termination of your application.
3. Documentation of current property value from tax record or appraisal. Appraisals must be less than 6 months old. New or updated appraisals are required for all properties prior to acquisition and at sale to purchaser.
4. If a subdivision development, provide proof of infrastructure to support number of units proposed including existing paved road, utilities, etc. Please note that a letter regarding **sewer capacity** from Jefferson County Environmental Services and current sewer map or letter from the Jefferson County Health Department for septic tanks is required prior to funding award. It is recommended that a letter be requested as early in the application process as possible to allow time for processing.
5. Provide evidence of permissive zoning or application for permissive zoning (permissive zoning must be in place prior to award).
6. A copy of the Title Insurance Commitment(s).
7. Flood Hazard Determination Form (FEMA Form 086-0-32) from a nationally recognized flood data service or from a licensed surveyor that no portion of the property is located within the 100-year flood plain.
8. Phase I Environmental Report which must comply in all respects with ASTM E1527-13, include a complete legal description of the site and a statement that the report can be relied upon by the Jefferson County, Alabama Office of Human-Community Services & Economic Development (required for 5 or more units if sites are within 2,000 feet of each other).

9. Describe neighborhood characteristics to include distance to grocery store, convenience store, bank or credit union, hospital or doctor office, and pharmacy or drug store.
10. Provide evidence of fire protection (letter from local Fire District or municipal Fire Department).

TAB-E: MARKETING AND LEASING

1. Applicants must submit a Market Study conducted by an independent third-party market analyst. A market analyst must be selected from the list accepted by the Alabama Housing Finance Authority for the 2023 application cycle found at www.ahfa.com. Per HUD Notice: CPD-15-11 the market analysis for the proposed units should:

- Evaluate general demographic, economic, and housing conditions in the community.
 - Delineate the market area by identifying the geographic area from which the majority of the project's buyers are likely to come. This may or may not coincide with census tract or neighborhood boundaries.
 - Quantify the pool of eligible buyers in terms of household size, age, income, and other relevant factors. Not all residents of the market area are potential or likely tenants or buyers of any given project.
 - Analyze the competition by evaluating other housing opportunities with an emphasis on other affordable rental developments or sales opportunities in the market area, including those financed through either the HOME program or other federal programs.
 - Assess the market for the planned units and determine if there is sufficient demand to sell the HOME-assisted housing within nine months of construction completion (§92.254(a)(3)).
 - Evaluate the effective demand and the capture rate, usually expressed as a percentage (the project's units divided by the applicant pool). The capture rate is the percentage of likely eligible and interested households living nearby who will purchase units in the proposed project in order to sell all units.
 - Estimate the absorption period. Plan how many units can be successfully sold each month and how long it will take to achieve initial occupancy/sale of the HOME units.
2. In lieu of a market study, a waiting list of potential and pre-qualified buyers may be submitted. Buyers considered to be "pre-qualified" are those that have a pre-qualification letter from a first mortgage lender.
 3. Describe the marketing and outreach strategy to reach your target buyers, including compliance with all fair housing and non-discrimination requirements.
 4. Identify any mechanisms currently in place to assist with the financing for potential homebuyers.
 5. Documentation of any down payment assistance, if applicable.
 6. Fair Housing and Affirmative Marketing Plan (HUD Form 935.2A found at <http://portal.hud.gov/hudportal/documents/huddoc?id=935-2a.pdf>).
 7. List of services/activities to prepare purchasers for homeownership.

TAB-F: COMPLIANCE LETTER AND CERTIFICATIONS (See Appendix B):

1. Provide letter stating that all information included in the proposal is true and accurate to the best of your knowledge and may be relied upon by the Jefferson County Commission in funding decisions. The letter must also state that the applicant agrees to comply with all of the provisions of the HOME Program.
2. Administrative Order of the Jefferson County Commission 08-4.
3. Equal Opportunity Certification Form.
4. Certification Regarding Conflict of Interest.
5. Certification Regarding Debarment, Suspension and Other Responsibility Matters (to be completed by Owner, Developer, General Contractor and Subcontractors if identified).
6. Certification Regarding Displacement, Relocation & Acquisition.
7. Certification Regarding Prohibition of the Use of HOME Funds for Lobbying & Bribes.
8. Certification Regarding Affirmative Marketing Procedures.

MINIMUM DEVELOPMENT STANDARDS

All units in the proposed project must meet the following Minimum Development Standards:

1. Construction and rehabilitation must meet the current and most stringent applicable code. Jefferson County currently uses the 2018 International Building Code, 2018 International Residential Code including the 2015 International Energy Conservation Code with amendments as adopted by Jefferson County Department of Inspection Services collectively known as "Building Code of Jefferson County, Alabama, 2018" or the "Code".
 - a. Please note that projects located within a municipal limit may be subject to more stringent codes. Please check with the Inspection Services Department of the city in which the project is located. In all cases, the most stringent code applies.
 - b. In the event that any of the Minimum Development Standards conflict with the Code, the most stringent shall prevail.
 - c. Any deviations from the Minimum Development Standards may be requested in writing and are subject to approval at the sole discretion of the County.
2. All sites/units are subject to inspection and approval by County prior to purchase. All plans/specifications/scopes of work subject to County approval.
3. Units must be new construction and/or rehabilitation of existing units in generally good condition that do not require substantial rehabilitation. Units acquired may not have major structural defects (i.e. foundation problems, water damage, mold, active termite infestation/termite damage, etc.). Units built after 1978 are preferred.
4. All projects must be designed and constructed in accordance with the applicable requirements of the 2010 Americans with Disabilities Act, Section 504 of the Rehabilitation Act and the Fair Housing Act. All newly constructed units must be fully adaptable or fully accessible if needed by the purchaser. Rehabilitation of existing units must meet the accessibility needs of the purchaser.
5. Units must be within reasonable access to shopping, entertainment, education, and health services.
6. Permissive zoning or application for permissive zoning is required (permissive zoning must be in-place prior to award).
7. Site shall be served by public water, public road and public sewer, or have permit

from Jefferson County Department of Health for septic system. Septic tanks of existing units must be pumped and inspected prior to sale.

8. Site shall be in a designated Fire District or served by a municipal Fire Department.
9. Lead-Based Paint -- The use of lead-based paint is strictly prohibited. If a rehabilitated home was originally placed into service prior to January 1, 1978, rehabilitation must comply with HUD lead-based paint rules (24 CFR Part 35 and 24 CFR Section 570.608). A lead-based paint risk assessment for lead based paint hazards shall be conducted, and rehabilitation work must be done by contractors meeting the requirements of the HUD rule and the EPA Renovation, Repair and Painting rule. All purchasers of HOME assisted structures constructed prior to 1978 must be notified of the hazards of lead-based paint poisoning.
10. Builder must provide one-year home warranty for new construction and new appliance manufacturer warranties. Rehabilitation work on existing units must be warranted for one year.
11. Builder must use all new materials for both new construction and rehabilitation.
12. Units must be located in Flood Zone X (outside the 100-year floodplain).

Standards for New Construction of Single-Family Homes

The following outline of minimum standards must be used in the design and construction of single-family homes.

Minimum Building Standards:

1.) Minimum Unit Net Area Requirements:

<u>Unit Type</u>	<u>Number of Bathrooms</u>	<u>Minimum Unit Net Area*</u>	<u>Minimum Bedroom Net Area*</u>
3 Bedroom	2	1,100 s. f.	90 s. f.
4 Bedroom	2	1,300 s. f.	90 s. f.

*Note 1: Unit areas do not include outside storage, covered porches, patios, balconies, etc.

- 2.) All single-family homes must meet local zoning requirements.
- 3.) Lot size and setbacks must meet local zoning and is subject to County approval. Subdivision plats are subject to County approval.
- 4.) All single-family homes must have a minimum of three (3) different front and rear elevation designs. No identical front elevations should be built next to each

other.

5.) All single-family homes must have a minimum of three (3) different color schemes.

6.) Exterior Building Standards:

a. Exterior Finishing Materials:

1. Exterior building coverings: Very low maintenance materials are required. Acceptable materials include:

a. Brick;

b. High quality vinyl siding with a minimum thickness of .044 and a lifetime non-prorated limited warranty (50 year) transferable;

c. Cementitious siding and trim material and all siding materials listed above are required to be 12 inches above the finished floor elevation of the building ground floor, with the exception of concrete patio and covered breezeway areas. Brick decorative block or cultured stone must be used as an apron material.

2. Fascia and soffit: Must be prefinished vinyl, prefinished aluminum, or cementitious trim. Material used for soffits must be perforated or vented.

3. Windows frames and sashes are to be constructed of vinyl-clad wood, solid extruded vinyl, fiberglass, or aluminum and all windows are required to have screens.

4. Materials for entry doors are to be metal-clad wood, fiberglass, or hollow metal construction. "Peepholes" and deadbolt locks are required in entry doors. Dead bolt locks on entry doors must have "thumb latch" on interior side. Double keyed dead bolt locks are prohibited. Minimum clear width of all exterior doors must be 34 inches.

5. Roofing materials: Anti-fungal shingles or metal roof with 30-year warranty or better must be used.

6. Roof gable vents must be made of aluminum or vinyl materials. All roof penetrations must be located on the rear most section of the roofline.

7. All attics must be vented.

8. Exterior shutters or other decorative window trim is required.

b. Other Exterior Standards:

1. Exterior lighting is required at entry doors.

2. Address numbers are to be clearly visible.

3. Two (2) parking spaces for each home.

4. Metal flashing or 20 mil polyethylene when used in conjunction with self-adhering polyethylene laminate flashing, must be installed above all exterior door and window units.

5. Grounds must be fully landscaped. A landscaping plan must be submitted indicating areas to be sodded and landscaped. Landscaping plan(s) must follow any applicable landscape municipal ordinance. Front foundation area must be mulched. Mulch must be placed a minimum of 6" away from foundation to prevent termite intrusion.

6. In subdivisions to be developed, concrete curbing is required along all street frontage. Six (6) inch raised curbs and gutter design is required. No valley curbs allowed.

7. Sidewalk access to the front door and the driveway must be provided.

8. Project signs must include the Fair Housing logo.

9. All driveways must be concrete.

10. All sidewalks and walkways must be concrete and at least 36 inches wide.

11. Mailboxes must be ADA accessible.

12. No above ground propane tanks allowed on the site.

13. In subdivisions to be developed, all onsite utilities must be underground.

14. All development shall meet the requirements of Jefferson County Storm Water Management. Storm water retention basins are to be avoided in new subdivision development.

7.) Interior Building and Space Standards:

a. Wall Framing: Walls may be framed using metal studs in lieu of wood.

b. Insulation Requirements:

1. Exterior wall insulation must have an overall R-13 minimum for the entire wall assembly.

2. Roof or attic insulation must have an R-38 minimum.

3. Vapor retarders must be installed if recommended by project architect.

c. Kitchen spaces:

1. A minimum 6 1/2-inch deep double bowl stainless steel sink is required in each unit.

2. Each unit must be equipped with a 5 lb. ABC rated dry chemical fire extinguisher readily accessible in the kitchen and mounted to accommodate handicapped accessible height in accessible units.

3. New cabinets must have dual sidetrack drawers and no laminate or particleboard fronts for doors or drawer fronts.

4. A pantry closet or pantry cabinet is required in each unit.

5. Overhead lighting and task lighting at the sink is required.

6. Appliances must include a self-cleaning range or self-cleaning oven and cooktop, dishwasher and refrigerator (16 CF or larger). Appliances must be Energy Star rated. Washer/dryer connections are required.

7. A grease shield is required behind ranges on the wall.

d. Bathroom Spaces:

1. Tub/shower units must have minimum dimensions of 30-inch width by 60-inch length, be equipped with anti-scald valves and include a hand-held shower head. Integral wood blocking in walls as per Fair Housing guidelines is required. All tubs in designated handicap accessible units must come complete with "factory-installed grab bars" where the tub surrounds are reinforced. Wood blocking in walls is still required with factory reinforced fiberglass surrounds. If the tub surrounds are not reinforced fiberglass, hard tile or cultured marble or composite materials; solid wood blocking must be installed to meet Fair Housing guidelines.

2. Water closets must be installed to comply with applicable ANSI, UFAS and Fair Housing accessibility guidelines.

3. Mirror length must extend from top of vanity backsplash with top of mirror a minimum of 6'-0" above finish floor. Framed decorative mirrors or medicine cabinets with mirrors are allowed with a minimum size of 14" x 24".

4. Vanity cabinets with drawers or a vanity cabinet without drawers and a linen cabinet with drawers must be installed in all units. All cabinets in designated handicap accessible units must be installed in compliance with applicable ANSI or UFAS guidelines.

e. Hallways must have a minimum clear width of 36 inches or greater as per applicable accessibility standards.

f. All interior doors to habitable spaces in units subject to Fair Housing Guidelines must have a minimum clear width in compliance with the applicable Fair Housing design standards. All interior doors to habitable spaces in designated handicap accessible units must have a minimum width of 36 inches. All interior doors to habitable spaces in all other units must have a minimum clear width of 30 inches.

g. Separately switched overhead lighting is required in each room. Energy Star ceiling fans with light kits are required in the living room and each bedroom.

h. Window treatments are required for all windows.

i. Sliding glass doors and bi-fold doors are prohibited.

j. Floor Finishes:

1. Carpet materials must meet FHA minimum standards.

2. Resilient flooring materials must meet FHA minimum standards.

k. A minimum of two (2) hard-wired with battery back-up smoke detectors is required per unit.

l. A carbon monoxide detector must be installed in each unit with gas mechanical systems or appliances. Units with an attached garage must also have a carbon monoxide detector installed.

m. All doors must have lever handled hardware.

8.) Plumbing and Mechanical Equipment:

- a. Water heaters must meet current Energy Star standards. Water heaters must be placed in drain pans with drain piping plumbed to the outside or to an indirect drain connected to the sanitary sewer system. Water heater T&P relief valve discharges must be direct to exterior of building and elbow down to 6" above finish grade.
- b. Through-wall HVAC units are not permitted in single-family homes.
- c. CPVC supply piping is not allowed for interior space in-wall or overhead services.
- d. HVAC refrigeration lines must be insulated.
- e. HVAC must meet current Energy Star standards. HVAC equipment must be enclosed in **secure fencing with lock**.

Standards for Rehabilitation of Existing Single-Family Homes

All units are subject to inspection and approval by County prior to purchase. The scope of work must be approved by County. The following outline of minimum standards must be used in design and rehabilitation of existing units.

Minimum Building Standards:

1.) Minimum Unit Net Area Requirements:

<u>Unit Type</u>	<u>Number of Bathrooms</u>	<u>Minimum Unit Net Area*</u>
2 Bedroom	1	800 s. f.
3 Bedroom	1	1,000 s. f.
4 Bedroom	2	1,200 s. f.

*Note 1: Net unit areas do not include outside storage, covered porches, patios, balconies, etc.

2.) Exterior Building Standards:

a. Exterior Finishing Materials:

1. Exterior building coverings: very low maintenance materials are required. Acceptable materials include:

a. Brick;

b. High quality vinyl siding with a minimum thickness of .044 and a lifetime non- prorated limited warranty (50 year) transferable.

c. Cementitious siding and trim material. Must be newly painted.

d. Engineered composite siding and trim material. Must be newly painted.

e. All damaged or deteriorated areas must be replaced or repaired. All siding materials listed above are required to be 12 inches above the finished floor elevation of the building ground floor, with the exception of concrete patio and covered breezeway areas. Brick, decorative block or cultured stone must be used as an apron material.

2. Fascia and soffit: All damaged or deteriorated areas must be replaced or repaired. Must be prefinished vinyl, prefinished aluminum, cementitious trim or engineered composite trim. Material used for soffits must be perforated or vented.

3. Windows frames and sashes are to be constructed of vinyl-clad wood, solid extruded vinyl, fiberglass, or aluminum and all windows are required to have screens. Replacement windows must meet Energy Star guidelines.

4. Materials for entry doors are to be metal-clad wood, fiberglass, or hollow metal construction. "Peepholes" and deadbolt locks are required in entry doors. Dead bolt locks on entry doors must have "thumb latch" on interior side. Double keyed dead bolt locks are prohibited. Minimum clear width of all exterior doors must be 34 inches.

5. No Mansard Roofs are allowed. Roofs with less than 50% remaining life as determined by County inspection must be replaced. All deteriorated decking must be replaced. Replacement roofing materials: Anti-fungal shingles or metal roof with 30-year warranty or better must be used.

6. Roof gable vents must be made of aluminum or vinyl materials.

7. All attics must be vented.

8. Exterior shutters or other decorative window trim is required.

9. Patio and porch/deck components must be replaced if deteriorated. Existing wooden decks must be pressure washed and receive a new coat of stain.

b. Other Exterior Standards:

1. Adequate exterior lighting is required at entry doors.

2. Address numbers are to be clearly visible.
3. Metal flashing or 20 mil polyethylene when used in conjunction with a self-adhering polyethylene laminate flashing, must be installed above all exterior door and window units.
4. Landscaping plan(s) must follow any applicable landscape municipal ordinance. All disturbed areas must be seeded. If bare spots or erosion exist in current landscaping, the area must be sodded. Existing shrubs must be neatly pruned. Tree limbs overhanging roof must be cut back. Dead or severely damaged trees and shrubs must be removed including the stump and replaced. If no trees or front foundation shrubs are present, one (1) 2" caliper tree per unit and six (6) 1 gallon shrubs per unit must be installed. Front foundation area must be mulched. Mulch must be placed a minimum of 6" away from foundation to prevent termite intrusion.
5. All units must be treated for termites.
6. Project signs must include the Fair Housing logo.
7. Sidewalk access to the front door and the driveway must be provided.
8. Driveways, walkways, patios, decks, and porches must be pressure washed.
9. All parking must be asphalt or concrete. Any existing cracks are to be sealed.
10. All sidewalks and walkways must be concrete and at least 36" wide. Any existing cracks are to be sealed.
11. Gutters must be cleaned.
12. No above ground propane tanks allowed on the site.

3.) Interior Building and Space Standards:

a. Insulation Requirements:

1. Roof or attic insulation must have an R-38 minimum.

b. Kitchen spaces:

1. A minimum 6 1/2-inch deep double bowl stainless steel sink is

required in each unit.

2. Each unit must be equipped with a 5 lb. ABC rated dry chemical fire extinguisher readily accessible in the kitchen and mounted to accommodate handicapped accessible height in accessible units.

3. New cabinets must have dual sidetrack drawers and no laminate or particleboard fronts for doors or drawer fronts.

4. A pantry closet or pantry cabinet is required in each unit.

5. Adequate overhead lighting and task lighting at the sink is required.

6. Appliances with less than 50% remaining life as determined by County inspection must be replaced. All new appliances must be Energy Star rated.

7. A grease shield is required behind ranges on the wall.

c. Bathroom Spaces:

1. Tub/shower units must have minimum dimensions of 30-inch width by 60-inch length, be equipped with anti-scald valves and include a hand-held shower head. Integral wood blocking in walls as per Fair Housing guidelines is required. All tubs in designated handicap accessible units must come complete with "factory-installed grab bars" where the tub surrounds are reinforced. Wood blocking in walls is still required with factory reinforced fiberglass surrounds. If the tub surrounds are not reinforced fiberglass, hard tile or cultured marble or composite materials; solid wood blocking must be installed to meet Fair Housing guidelines.

2. Water closets must be installed to comply with applicable ANSI, UFAS and Fair Housing accessibility guidelines.

3. Mirror length must extend to top of vanity backsplash with top of mirror a minimum of 6'- 0" above finish floor. Framed decorative mirrors or medicine cabinets with mirrors are allowed with a minimum size of 14" x 24".

4. Vanity cabinets with drawers or a vanity cabinet without drawers and a linen cabinet with drawers must be installed in all units. All cabinets in designated handicap accessible units must be installed in compliance with applicable ANSI or UFAS guidelines.

d. Hallways must have a minimum clear width of 36 inches or greater as per applicable accessibility standards.

e. All interior doors to habitable spaces in units subject to Fair Housing Guidelines must have a minimum clear width in compliance with the applicable Fair Housing design standards. All interior doors to habitable spaces in designated handicap accessible units must have a minimum clear width of 36 inches. All interior doors to habitable spaces in all other units must have a minimum clear width of 30 inches.

f. Separately switched overhead lighting is required in each room. Energy Star ceiling fans with light kits are required in the living room and each bedroom.

g. Window treatments are required for all windows.

h. Sliding glass doors and bi-fold doors must function smoothly or be replaced.

i. Floor Finishes - all flooring must be replaced:

1. Carpet materials must meet FHA minimum standards.

2. Resilient flooring materials must meet FHA minimum standards.

j. A minimum of two hard-wired with battery back-up smoke detectors is required on each level.

k. A carbon monoxide detector must be installed on each level of all units with gas mechanical systems or appliances. Units with an attached garage must also have carbon monoxide detector(s) installed.

4.) Plumbing and Mechanical Equipment:

a. Water heaters with less than 50% remaining life as determined by County inspection must be replaced. New water heaters must meet current Energy Star standards. Water heaters must be placed in drain pans with drain piping plumbed to the outside or to an indirect drain connected to the sanitary sewer system. Water heater T&P relief valve discharges must be direct to exterior of building and elbow down to 6" above finish grade.

b. Central HVAC is required in all units.

c. Through-wall HVAC units are not permitted in single-family homes.

d. HVAC refrigeration lines must be insulated.

e. HVAC units with less than 50% remaining life or that are not cooling

properly as determined by County inspection must be replaced. New HVAC must meet current Energy Star standards. HVAC equipment must be enclosed in secure fencing with lock.

f. New HVAC air filter must be installed.

f. Repair or replace damaged, disconnected, or undersized ducts.

APPENDIX A

Request for Proposals Advertisement

Legal Advertisement

Request for Proposals (RFP) Homeowner Housing Development

The Jefferson County Commission receives funds from the United States Department of Housing & Urban Development (HUD) to address the housing needs of lower income residents of the Jefferson County Community Development Consortium. Per its Consolidated Plan, Jefferson County, through its Department of Community Services is soliciting Non-Profit (501 (c) (3)) and For-Profit Housing Developers with a **strong history** of successfully developing and marketing quality affordable single-family housing to submit proposals for the development and/or acquisition/rehabilitation of affordable single-family housing specifically designed to address the needs of lower income home buyers within the Jefferson County Community Development Consortium (all of Jefferson County outside of the cities of Birmingham, Bessemer and the towns of County Line, Sumiton, and Helena). Community Housing Development Organization (CHDO) designation may also be requested under this RFP if in conjunction with a housing proposal.

Sealed proposals must be submitted to the Department of Community Services (in-hand) at the below address by no later than **5:00 P.M. on April 22, 2024**.

Suite A-430
716 Richard Arrington, Jr. Blvd. N.
Birmingham, AL 35203

The complete RFP may be viewed on the Jefferson County Department of Community Services website at <https://www.jccal.org/Default.asp?ID=1255&pg=Requests+for+Proposals%2FQualifications>. Copies of the RFP can be picked up at the above-address or requested via e-mail to Corleen Farley at farleyc@jccal.org. All requests by means other than by in-person visits to the above noted Office will be responded to via e-mail or United States Postal Service. All questions should be addressed to Michelle Pickett at (205) 325-5761.

Run Dates:	<u>Alabama Messenger</u>	March 20, 2024
	<u>Birmingham Times</u>	March 21, 2024
	<u>Latino News</u>	March 22, 2024

APPENDIX B CERTIFICATIONS

Administrative Order of the Jefferson County Commission 08-4

All parties to the Proposal agree that all services rendered under any contract or agreement with Jefferson County, Alabama will be done so without regard to race, creed, color, sex, national origin, religion or handicap and agree to comply with Jefferson County Commission Administrative Order 08-4 as follows:

PURPOSE

To give notice to potential developers/contractors that Jefferson County is an equal opportunity employer in accordance with Title VII, Civil Rights Act of 1964, 42 U.S.C. §§ 1981, 1983, 1986 and amendments, and it is the policy of Jefferson County to require developers, contractors, vendors and suppliers (hereinafter "Developer") providing goods and services to the County to afford equal opportunity for employment to all individuals regardless of race, color, sex, age, religion, national origin, disability or veteran status.

PROCEDURE

The clause set forth below which requires Developers compliance with federal law shall be incorporated in each bid or offer to do business with the County and in all contracts and sub-contracts with the County as follows:

1. The Developer will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability or veteran status pursuant to the provisions of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 1981, 1983, 1986 and all amendments thereto relative to discriminatory employment practices. The Developer will ensure that qualified applicants are employed, and that said employees are treated fairly during employment, without regard to their race, color, religion, sex, national origin, age, disability or veteran status. Such action shall include, but not be limited to the following: employment, promotion, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
2. In the event of the Developer's non-compliance with the equal employment opportunity clause of this Agreement, this Agreement may not be awarded or may be cancelled, terminated or suspended in whole or in part and the Developer may be declared ineligible for further County contracts.
3. The Developer will include the provisions of paragraph (1) in every sub-contract or purchase order.
4. The Developer shall certify to the County its compliance with this policy prior to receipt of any contract or business with the County. The Form "Jefferson County, Alabama Equal Opportunity Certification Form" is incorporated herein by reference.

Organization Name

By: _____

Its: _____

Date: _____

JEFFERSON COUNTY, ALABAMA
EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION FORM

Contractor/Vendor Name: _____

Address: _____

The Contractor acknowledges receipt of Jefferson County's Equal Employment Opportunity Contractor Compliance Administrative Order (attached hereto) and certifies that it is an equal opportunity employer and agrees to the requirements of the Policy and the Equal Employment Opportunity Clause therein. It further certifies that it will require all subcontractors to execute an Equal Employment Opportunity statement and certification of compliance.

The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability or veteran status. The Contractor will ensure that qualified applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, national origin, age, disability or veteran status. Such action shall include, but not be limited to the following: employment, promotion, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

The Contractor will furnish to the County, upon request, reports, notices, policies and/or information certifying compliance with this policy.

In the event of the Contractor's non-compliance with the equal employment opportunity clause of this contract, this contract may not be awarded or may be cancelled, terminated or suspended in whole or in part and the Contractor may be declared ineligible for further County contracts.

Date

Signature

Title

**CERTIFICATION REGARDING
CONFLICT OF INTEREST**

The undersigned certifies to the Jefferson County Commission through its Office of Human-Community Services & Economic Development that it and its principals are in compliance with the Conflict of Interest provision of the HOME Investment Partnership Program regulations 24CFR Part 92:

- In the procurement of property and services 24CFR 85.36 and OMB Circular 110 Rules Regarding Conflict of Interest apply.
- In all cases not governed by those rules, conflicts of interest are not permitted. The following applies:

If a person is:

An employee, agent, consultant, officer, elected official or appointed official of a PJ, State recipient or sub recipient of HOME funds,

AND have HOME-related responsibilities or access to inside information.

That person may NOT:

Obtain a financial benefit or interest from any HOME activity for themselves or those with whom they have family or business ties during their tenure or for one year thereafter.

Organization Name

By: _____

Its: _____

Date: _____

**DEVELOPERS CERTIFICATION REGARDING
DEBARMENT, SUSPENSION,
AND OTHER RESPONSIBILITY MATTERS**

1. The undersigned certifies to the Jefferson County Commission through its Office of Human-Community Services & Economic Development that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment or suspension, declared ineligible, or voluntarily excluded from any transactions or construction projects involving the use of Federal funds;
 - (b) Have not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
 - (d) Have not within a three-year period preceding this certification had one or more public projects (Federal, State or local) terminated for cause of default.

2. Where the undersigned is unable to certify to any of the statements in this certification, the undersigned shall attach an explanation to this certification.

Organization Name

By: _____

Its: _____

Date: _____

**CERTIFICATION REGARDING
DISPLACEMENT,
RELOCATION AND ACQUISITION**

The undersigned, hereby, certifies to the Jefferson County Commission through its Office of Human-Community Services & Economic Development that if its application is selected for funding, it and its principals will:

1. Take all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms).
2. Provide relocation assistance at the levels described in, and in accordance with the requirements of 24 CFR part 92 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 4201-4655) and 49 CFR Part 24.
3. Advise all displaced persons of their rights under the Fair Housing Act (42 U.S.C. 3601-19).

Organization Name

By: _____

Its: _____

Date: _____

**CERTIFICATION REGARDING
PROHIBITION OF THE USE OF HOME FUNDS
FOR LOBBYING AND BRIBES**

I, _____, the _____

of _____ (“Owner”) authorized to act on behalf of Owner certify to the Jefferson County Commission through its Office of Human-Community Services & Economic Development that:

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the Owner, to any person for influencing or attempting to influence an office or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement;
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Owner will complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions; and
- (3) The Owner shall require that this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

Name

Title

Date

**CERTIFICATIONS REGARDING
AFFIRMATIVE MARKETING PROCEDURES**

The undersigned applicant certifies to the Jefferson County Commission through its Office of Human-Community Services & Economic Development (“the County”) that it will continue to further Equal Opportunity and Fair Housing by:

1. Establishing affirmative marketing procedures to be utilized so that no person shall, on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity funded in whole or part with funds made available under Jefferson County’s HOME Program.
2. Complying with the requirements of the Fair Housing Act and the Age Discrimination Act of 1975.
3. Displaying the Fair Housing logo on its advertisements for those units and at the leasing or sales office. At a minimum, a Fair Housing poster will be displayed at the leasing or sales office.
4. Submitting in writing to the County its plans to solicit applications from persons in the community who are unlikely to apply without special outreach.
5. Maintaining a list of the characteristics of the tenants renting HOME assisted units and will assess and report annually the results of these efforts to the County.

Signature of Authorized Certifying Official:

Title:

Applicant Organization:

Date:

APPENDIX C

URA/Environmental Informational Notice

**URA/Voluntary Sales Disclosure
And Environmental Review Certification**
Organizations/Agencies/Persons **without** Eminent Domain Authority

Environmental Review Certification

Seller acknowledges that federal funds will be used to purchase the property, and that the purchase offer is subject to the completion of the Environmental Review (completed by the Jefferson County Office of Human-Community Services and Economic Development), and clearance in accordance with 24 CFR Part 58 and that the cost of the purchase option is a nominal portion of the purchase price. Seller agrees that they shall not under any circumstances commence (or allow any other party to commence) any choice-limiting activity or other mitigation work at the project without the written permission of the Jefferson County Office of Human-Community Services and Economic Development. Choice-limiting activities include, but are not limited to, acquiring, rehabilitating, converting, leasing, repairing, ground disturbances, or construction.

Owner Date

Owner Date

**Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA)
Informational Notice**

Dear _____ (Owner): Date: _____

(Name of Organization/Agency/Person) _____, is interested in acquiring property you own at (address) _____ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the HOME Investment Partnership Program.

Please be advised that (Name of Organization/Agency/Person) _____, does not have authority to acquire your property by eminent domain. In the event an amicable agreement for the purchase of your property cannot be reached, this proposed acquisition will not be pursued.

The subject property is listed for purchase at \$ _____. (If currently listed)

- a. It is estimated that the property's market value is \$ _____ based on the proposed sales price listed above. We are prepared to purchase your property; however, depending on the results of the appraisal, our written offer may differ

from this amount. We will be informing you prior to closing of the appraised value. If it differs from the amount above, you have the right to withdraw from the transaction.

Or

- b. The Appraisal or Property Valuation indicates the property's market value is \$ _____.

We are prepared to offer \$ _____ to purchase your property.

Please contact us at your convenience if you are interested in selling your property.

If the property is in default, but foreclosure proceedings have not been initiated/completed, and this offer is for less than the current balance of your loan(s) we suggest that you seek legal counsel or guidance. We cannot provide you with legal advice regarding any tax credit, or deficiency judgment consequences to you related to the sale.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), owner-occupants who move as a result of a voluntary acquisition are not eligible for relocation assistance. A tenant-occupant who moves as a result of a voluntary acquisition of a federally-assisted project may be eligible for relocation assistance as a displaced person. Such displaced persons may include not only current lawful occupants, but also former tenants who were required to move for any reason other than an eviction for cause, in accordance with applicable federal, state, and local law. If your property is currently tenant-occupied or a tenant lawfully occupied your property within the past 3 months prior to our offer, we need to know immediately. Further, you should not order current occupants(s) to move, or fail to renew a lease, in order to sell the property as vacant.

If there is a current tenant, seller acknowledges the buyer's right to notify tenants of URA rights.

Has the property been occupied in the last 90 days? Yes or No

If Yes, list all persons that have occupied the property for the 90 days prior to the date on this purchase agreement (include all residential and/or commercial tenants) (Attach additional information to this form if needed):

Name(s) of occupants	-	Dates of Occupancy	-	Mark if either Owner (O) or Tenant (T)
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Please explain circumstances surrounding all moves from the property in the last 90 days:

- 1) _____

2) _____

If you have any questions about this notice or the proposed project, please contact:

(Name of Organization/Agency/Person)

(Address of Organization/Agency/Person)

(Contact phone number of Organization/Agency/Person)

If this disclosure is not made prior to or at the time of the purchase offer, the seller has the right to withdraw.

We the undersigned hereby acknowledge receipt of this notice by signing and dating below.

Owner

Date

Owner

Date