

Questions and Answers for RFP 2013-003

AFFORDABLE HOUSING DEVELOPMENTS LOCATED IN BROWARD, MIAMI-DADE AND PALM BEACH COUNTIES

Question 1:

In light of the Government shut down, will Florida Housing issue a modification to allow the HUD and RD letters to be submitted during credit underwriting rather than in the Application?

Answer:

Since the federal government shutdown has been resolved, no modification will be made to RFA 2013-003. Applicants must provide any necessary HUD and RD letters with their Application submissions.

Question 2:

Please clarify whether the Phase I and Phase II Environmental Site Assessments (ESAs) must be completed as of the Application deadline in order for the FHFC Verification of Phase I and Phase II ESA forms to be submitted correctly at underwriting. Can the requirement that the ESAs be performed within 12 months of the submission deadline (the Application Deadline) be interpreted to permit the 12 month period to be prior to the submission deadline or after the deadline, as long as the form is submitted timely in credit underwriting.

Answer:

The date of the ESA may be after the submission deadline (Application Deadline) provided such date is at least as of the date the form is due to Florida Housing (the date that is 21 days after the date of the invitation to enter credit underwriting). For example, if the Application Deadline is November 12, 2013 and the due date for the ESA form is February 21, 2014, then the ESA must be dated within a 12 month period prior to November 12, 2013 or dated anywhere from November 12, 2013 through February 21, 2014.

Question 3:

The Surveyor's Certification Form posted on the website is changing the input of two digit numbers when the first digit is a "0". For instance, if one types in the degrees or minutes as "07", which would be the correct input of information and what we have always provided in the form of two digits, the cell is automatically eliminating the "0" and changing the input to just "7".

Answer:

The formatting of the cell (as a number rather than as text) on the interactive pdf Surveyor Certification form is causing the "0" to be dropped. Florida Housing has replaced the form on the Website with a corrected form which will allow the user to enter a two digit number which begins with "0". For Applications where the Surveyor Certification form has already been completed and signed, the Applicant may manually add the "0" without the need to complete the corrected form.

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AFFORDABLE HOUSING DEVELOPMENTS LOCATED IN BROWARD, MIAMI-DADE AND PALM BEACH COUNTIES

Question 4:

Are the following forms that are currently posted to the website the final version of the forms: 2013 Development Team forms, 2013 Ability to Proceed forms, 2013 Local Government Contribution forms, and 2013 Surveyor Certification form?

Answer:

Yes, the forms currently posted to the website http://apps.floridahousing.org/StandAlone/FHFC_ECM/ContentPage.aspx?PAGE=0171 are the forms that should be used in conjunction with the RFA. It should be noted that only the Local Government Contribution forms and the Surveyor Certification form are included as a part of the RFA. As outlined in Item 10 of Exhibit A of the RFA, the Applicant is only required to submit the Development Team forms and the Ability to Proceed forms to the Corporation if the Application is selected for funding.

Question 5:

There is no Principal of Developer General Development Experience Certification form included with the other Development Team forms on the website. Does this form need to be submitted as a part of the RFA or during credit underwriting?

Answer:

Since the Applicant must demonstrate Developer experience as a part of the RFA, the Principal of Developer General Development Experience Certification form will not be required to be submitted to the Corporation at the time the other Development Team forms are submitted.

Question 6:

If an applicant has a properly filled out and executed Local Government Verification of Contribution – Loan form submitted as Attachment 9, must they also submit a commitment letter evidencing the loan behind an additional Attachment as part of the required non-corporation funding proposals required under 9.d.(1). If not, must they submit an additional copy of the Local Government Loan form as an additional funding proposal?

Answer:

As stated in the “Note” at Section Four A.9.d.(1)(a) of the RFA, a properly completed and executed Local Government Verification of Contribution – Grant form and Local Government Verification of Contribution – Loan form may be used to demonstrate a source of financing in the RFA. The location of the applicable Local Government Contribution form (the applicable “Attachment No.”) should be stated at the applicable line item on the Construction or Rehab Analysis and/or the Permanent Analysis.

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AFFORDABLE HOUSING DEVELOPMENTS LOCATED IN BROWARD, MIAMI-DADE AND PALM BEACH COUNTIES

Question 7:

Please clarify how the "Per Unit Construction Funding Preference" is calculated and subsequently used in the sorting order.

Answer:

As stated in Section Four A.9.e. and Section Four B of the RFA, the Corporation will calculate the per unit construction amount by dividing the Actual Construction Cost line item A1.1 on the Pro Forma by the total number of units in the proposed Development. During the funding selection process, the eligible Applications with a per unit construction amount that is \$40,000 per unit or greater will be listed above the eligible Applications with a per unit construction amount that is less than \$40,000 per unit.

Question 8:

Is it acceptable to have the Chair of the local HFA sign the Verification of Local Government Contribution form?

Answer:

In order for the Local Government Contribution forms to be considered to be properly executed, the form "must be signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager /Administrator/Coordinator, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners".

Question 9:

If a local government chooses to defer a specific amount of fees for "X" period of time as their local contribution and this deferral meets the required contribution amount after NPV is calculated and applied, can the total sum of the deferred fees be placed into an interest bearing escrow account for the required "X" period of time? We have found that local governments want a secure method to ensure the fees will eventually be paid as agreed upon.

Answer:

A deferral of the payment of government fees beyond their normal due date will count towards a local government contribution; however, the placement of these same funds into an escrow account, whether for the direct or indirect benefit of the local government, does not constitute a deferral. It is the time value of money that is the source of this contribution and the placement of these funds into an escrow account at a period in time prior to the deferred payment due date will shorten the benefit period of the present valuation of said deferral. Any value contributed to the deferral of the payment of a fee should be based upon when the funds have been utilized.

Questions and Answers for RFP 2013-003

AFFORDABLE HOUSING DEVELOPMENTS LOCATED IN BROWARD, MIAMI-DADE AND PALM BEACH COUNTIES

Question 10:

Is the Deferred Developer Fee Form or some version thereof required to be included in the Application?

Answer:

The Deferred Developer Fee form is no longer required and the Applicant is not required to demonstrate its commitment or ability to defer the Developer fee within the Application. As stated at Section Four A.9.c. of RFA 2013-003, the Corporation will allow up to 100 percent of the eligible Developer fee to be deferred and used as a source on the Development Cost Pro Forma without the requirement to show evidence of ability to fund.

Question 11:

Does the Per Unit Construction Funding Preference question 9.e., on page 35 of RFA 2013-003 apply to new construction only developments? It seems to me it has to do with Rehabilitation per unit cost, but wanted to be clear. If it doesn't apply, and there's no NA button, should it be left unanswered?

Answer:

In order to be considered for the funding preference, this question should be answered by all Applicants. The question at 9.e. of Exhibit A, "Does the proposed Development qualify for the Per Unit Construction Funding Preference, as outlined at Section Four A.9.e. of the RFA?", has a "yes" or "no" response. The instructions at Section Four A.9.e. of the RFA state that the following Applications will qualify for the Per Unit Construction Funding Preference: (a) Applications with a Development Category of New Construction, Redevelopment, or Acquisition and Redevelopment (at question 4.c.(1) of Exhibit A), and (b) Applications with a Development Category of Rehabilitation or Acquisition and Rehabilitation (at question 4.c.(1) of Exhibit A) that reflect an amount of at least \$40,000 per unit when the amount listed in the Total column of the Development Cost Pro Forma for the Development Cost line item A1.1 Actual Construction Cost is divided by the number of total units in the Development.

Question 12:

In the past, application rules required a Market Study to be provided with the completed application. We could not find a requirement this year in the RFA to submit the market study. Please advise if the market study is required to be submitted with the application, after notice of funding or not at all.

Answer:

If the question is referring to a market analysis demonstrating the need for elderly housing, which used to be required in the Universal Application Cycle, the answer is that no market analysis is required in any of the Geographic RFAs. If the question is referring to a market study demonstrating the need for the affordable housing proposed in the Applicant's Application, the answer is that a market study will be required, but only after the Applicant is invited to enter credit underwriting.

Questions and Answers for RFP 2013-003

AFFORDABLE HOUSING DEVELOPMENTS LOCATED IN BROWARD, MIAMI-DADE AND PALM BEACH COUNTIES

Question 13:

The final senior center list identifies a senior center that has recently relocated to another address. On the surveyor form, should the address identified on the final senior center list be used or should the actual location where the senior center is now located be used?

Answer:

The current physical location of the senior center should be reflected on the Surveyor Certification form, provided that the senior center listed on the Surveyor Certification form is the same senior center that is included on the senior center list. The Senior Center List currently posted to the FHFC website is final and no additional Centers will be added at this time.

Question 14:

Does the Corporation intend to issue an Applications Submitted List and a Ranking List as was the case in previous Universal Application Cycles? If so, when does FHFC plan to release those lists?

Answer:

The Corporation expects to make an Applications Submitted Report available on our website shortly after the Application Deadline. After Board approval of the Review Committee's recommendations, the Corporation will post a listing of the Applications deemed ineligible for funding and the Applications deemed eligible for funding, sorted in order from highest total score to lowest total score, applying the selection criteria.

Question 15:

In the Operating Pro forma section of the Application, the contingency reserve line item has now been moved to below the Development Cost summation. This change makes it appear that you can no longer use the contingency reserve amount when calculating maximum developer fee as you could in years past. However, the language under the rules 67-68 FAC has remained the same and states that you only subtract out land and developer fee when calculating maximum developer fee and then references back to the Development Cost line item in the application. Other areas of the RFA also reference using total development cost and simply subtracting out the developer fee and land when making the maximum developer fee calculation. Based on this ambiguity, which is the correct method to calculate the maximum developer fee?

Answer:

The maximum Developer fee for completing the Development Cost Pro Forma in a submission to this RFA is limited to 16 percent of Development Cost (Development Cost line item C. in the RFA 2013-003 Development Cost Pro Forma). For the purposes of the Application, Contingency Reserves (Development Cost line item E.) should not be included in calculating the maximum Developer fee.

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AFFORDABLE HOUSING DEVELOPMENTS LOCATED IN BROWARD, MIAMI-DADE AND PALM BEACH COUNTIES

Question 16:

What are the requirements for the Applicant to qualify for the Non-Profit administrative fee?

Answer:

The Non-Profit administrative fee is available only to Applicants that apply and qualify as a Non-Profit.

Question 17:

Is a 4 percent Housing Credit Application with a 2011 Florida Housing identification number considered funded in the 2011 Universal Application Cycle for the Multi-Phase questions in Section 9.a.(2) of the RFA?

Answer:

Yes, provided either of the following occurred: (i) the box at question 4.e.(3) of the 4 Percent HC County HFA Bonds Application Form, Rev. 2-11, was selected by the 4 Percent HC Applicant, or (ii) the answer "Yes" was selected at Part III.A.2.k.(1)(c) of the 2011 Supplemental MMRB Application submittal.

Question 18:

If sending multiple applications via FedEx for submission in response to RFA 2013-003, can a box contain multiple applications? Or does each individual application need to be in its individual delivery package?

Answer:

Each Application must be in its own sealed package.

Please Note: The Q&A process for RFA 2013-003 is concluded and no further Q&As will be issued regarding RFA 2013-003.

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