

## **Fairport Urban Renewal Section 8 Program Application for Project Based Vouchers**

The Fairport Urban Renewal Agency (FURA) seeks proposals from qualified applicants (owners/developers and/or project sponsors) to receive up to sixty-one (61) Project Based Vouchers (PBV). Projects may request up to a twenty-year Housing Assistance Payment (HAP) PBV Contract with FURA with options to extend up to 20 additional years.

There are sixty-one (61) Project-Based Vouchers available under this Request for Proposals for low-income families within FURA’s jurisdiction including the Towns (and Villages therein) of Irondequoit, Webster, Penfield, East Rochester, Brighton, Henrietta, Pittsford, Perinton, Rush, Mendon and Macedon in Wayne County. FURA seeks to meet the goal of de-concentrating poverty and expanding housing opportunities with the award of these Project-Based Vouchers. The application process will be conducted on a rolling basis until all vouchers have been awarded or FURA determines it is no longer financially feasible.

### **Proposal Requirements**

Interested owners, developers and project sponsors can find all RFP documents online at [www.fairportoced.org](http://www.fairportoced.org). Applications must be submitted to: Jennifer Sturgis, Fairport Urban Renewal Agency, Section 8 Department, 31 S. Main Street, Fairport, NY 14450. Questions or comments should be directed to Jennifer Sturgis at (585) 421-3241 or [jennifer@fairportny.com](mailto:jennifer@fairportny.com).

### **Dates:**

September 11, 2024	FURA begins accepting applications on a rolling basis for 61 PBV’s through a non-competitive application process
September 11, 2025	The deadline for submitting applications for this RFP opportunity (application deadline may occur sooner if all 61 vouchers have been conditionally awarded)
December 31, 2025	Project must enter AHAP by this date or the FURA PBV award will expire. Extensions for up to 90 days will be considered for extraordinary circumstances

## Eligible Projects

Projects must be able to meet all HUD PBV program requirements found in 24 CFR 983. <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-IX/part-983?toc=1>

Proposals must be for new construction or major rehabilitation projects only. Rehabilitation projects must demonstrate a minimum average per unit renovation cost of \$5,000 to be considered for award.

Proposals must include projects that are only located within FURA's jurisdiction.

According to 24 CFR 983.51 (2), FURA may select, without issuing an RFP, a proposal for PBV units that was funded under a Federal, State or local government, community development, or supportive services program that required competitive selection of proposals, where the proposal has been selected in accordance with such program's competitive selection requirements within three years of the PBV proposal selection date. FURA may not select a housing assistance proposal using this method if the competition involved any consideration that the project would receive PBV assistance.

Owners/Developers/Project Sponsors must be in good standing with FURA. Proposals will not be considered from entities that have unresolved contract issues with FURA or are on the excluded party list. An exclusion record identifies parties excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits. Exclusions are also referred to as suspensions and debarments.

Except for certain projects as described below, PBV projects are limited to the greater of 25 units or 25% of the number of dwelling units in the project (adjusted if exceptions apply).

Projects located in an area where vouchers are difficult to use (as defined in 24 CFR 983.3) are eligible for a higher project cap of the greater of 25 units or 40% of the number of dwelling units. HUD defines "difficult to use areas" as:

- Census tracts with a poverty rate of 20% or less
- ZIP codes where the rental vacancy rate is less than 4%; or
- ZIP codes where 90% of the Small Area Fair Market Rent (SAFMR) is more than 110% of the metropolitan area FMR or county FMR

Any PBV unit that exclusively serves elderly families, youth assisted by the FUP/FYI program or provide supportive services which are made available (but not required) to all eligible PBV participants are **excepted** from the project cap.

Any PBV units that are excluded under 983.59 do not count toward the program or project cap (<https://www.ecfr.gov/current/title-24/section-983.59>). Such units are **excluded** from the number of dwelling units for purposes of calculating the project cap percentages.

Projects selected for PBV assistance must be consistent with the goal of de-concentrating poverty and expanding housing and economic opportunities, consistent with FURA's Administrative Plan, in full compliance with the applicable laws regarding nondiscrimination and accessibility requirements, meet Housing Quality Standards (HQS) site standards and meet HUD regulations for site and neighborhood standards including ability to promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.

Activities under the PBV program are subject to HUD environmental regulations and may be subject to review under the National Environmental Policy Act by local authorities.

For properties with nine or more proposed PBV units, the owner, the owner's contractors and subcontractors must pay Davis-Bacon wage rates to laborers and mechanics.

Proposals will be rejected for projects receiving other government funding for operating costs/rentsubsidy for units that are requesting PBVs.

Certain types of housing units and/or developments are **not eligible** for PBV. Any unit types that are determined ineligible in accordance with HUD regulations as listed in 24 CFR 983.52 and 24 CFR 983.53 will be rejected.

All projects will be required to complete a subsidy layering review process.

All projects are subject to Federal Equal Employment Opportunity requirements.

Projects will maintain a site-based waiting list and will refer applicants to FURA to fill vacant units. Applications for PBV units will be made available at the project

and will be referred to FURA for placement on the waiting list. At least seventy-five percent (75%) of the families approved for tenancy shall be families whose annual income does not exceed thirty percent (30%) of the median income for this area as determined by HUD and as adjusted by family size.

## **Proposal Submission**

Two copies of each proposal submission must be submitted to FURA and must address ALL of the criteria outlined in this RFP. Within 15 business days of submission, FURA will review the proposed project and notify the owner in writing of approval or denial. FURA will publish the awarded project (s) on its website at [www.fairportoced.org](http://www.fairportoced.org) and will notify all others that were not selected of the determination.

## **Proposal Content**

### **Section 1: General Project Form for Project Based Vouchers (PBV)**

- a. Include a completed PBV Project Information Form (**Attachment A**).

### **Section 2: Description of Proposed Project**

Provide a narrative that includes the following:

- a. Project address, proposed work (new construction or rehabilitation), site description and type of housing being proposed.
- b. Total number of buildings and units, including the number of PBVs requested and the length of HAP contract requested (5-20 years).
- c. Total number of units by bedroom size in each building and identify the PBV units and proposed rents for each PBV unit type.
- d. Utility and appliance information, including utilities that will be paid for by the owner and utilities the tenant will be responsible to pay. For utilities not included in the rent, include an estimated monthly cost for each unit type for the first year of occupancy.
- e. Target population(s) of the proposed project.

- f. Description of any amenities and/or supportive services to be provided to tenants. Include proximity to services and public amenities (e.g. parks, recreation centers, shopping , public transportation, health facilities, etc.)
- g. Written tenant selection criteria and plan including a statement that all PBV vacancies must be filled by PBV eligible applicants from the FURA PBV waitlist and must describe, with specificity, your tenant screening criteria. The plan must include any tenant selection preferences for the project. Screening criteria for assisted and unassisted tenants must be consistent.
- h. For projects requesting PBVs for more than 25 units or 25% of the total number of units in the project, please provide a description of the specific HUD exception or exemption the project will qualify under. Exceptions to the 25% cap of PBVs can be found at 24 CFR § 983.54 and exemptions at 24 CFR § 983.59.
- i. Provide the location by census tract and the most current poverty rate of the census tract. The proposal must address how the project complies with HUD’s statutory goal of “deconcentrating poverty and expanding housing and economic opportunities.” Details of this requirement can be found in Attachment B.

### **Section 3: Identify Interested Parties and Conflicts of Interest**

- a. Include the identity of the Owner and if applicable: Developer, Architect, and Management Agent, seller of the property, officers and principal members, shareholders, investors and other parties having a substantial interest in the project.
- b. Disclose any possible conflict of interest of any parties (possible or apparent conflicts shall be stated at this time). Include a statement if there are no known conflicts/potential conflicts.
- c. Federal rules and regulations expressly prohibit certain individuals from having an interest, either direct or indirect, in a HAP Contract. These restrictions involve present and past employees and Commissioners of FURA, as well as certain local and elected officials. If any individuals involved with the project may meet this definition, please list their names and describe the circumstances.

- d. Certification that the owner and other project principles are not on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement programs.
- e. Completed “Affidavit of Non-Collusion” form included in Attachment C.

#### **Section 4: Financing and Site Control**

- a. Provide a Development Pro Forma. Financing commitments from lenders are not required at the time of submission to FURA, however, the developer or project sponsor should address how they will obtain any necessary financing and the time period for obtaining these funds.
- b. For all projects, provide an Operating Pro Forma for a minimum of five years.
- c. The applicant *must have site control* at the time of submission to FURA as evidenced by a deed, option, purchase and sale agreement or other instrument acceptable to FURA. Site control must be for *at least six months* to allow for the completion of the HUD review process.
- d. For rehabilitation projects, provide an itemized listing of the work to be performed and an average per unit cost of the work to be performed.

#### **Section 5: Project Readiness**

The owner must provide a project timeline indicating major milestones including financing, site control, construction timelines and expected occupancy dates.

#### **Section 6: Experience of Developer or Project Sponsor**

FURA will give preference to proposals where the developer, owner and/or project sponsor has substantial experience in the management and development of large affordable housing projects and has experience in the management and development of supportive housing for the homeless, the elderly and/or disabled families.

#### **Section 7: Proof of Award from a Competitive Funding Process**

The proposal must include, at a minimum, a letter from the funding agency which awarded the project under a federal, State or local government program. This letter

must include the following information:

- Date of the proposal selection
- A certification that the proposal was competitively selected by the agency in full compliance with all publicly advertised selection requirements
- A statement that proposal selection did not involve any consideration that the project would receive PBV assistance
- A description of the housing program for which the applicant successfully completed, noting any special restrictions and/or special considerations
- One copy of the application that was submitted to another funding agency including a copy of the NOFA or other funding announcement

### **Related Documents included in RFP**

Included with the posting of this RFP on FURA's website are the following documents:

- Attachment A - Project Information Form
- Attachment B - PBV Regulation 983.55 (b)(1) Re: Compliance with HUD's statutory goal of "deconcentrating poverty and expanding housing and economic opportunities" as well as with Civil Rights Act of 1964, American Disabilities Act and Section 504 of the Rehabilitation Act of 1973
- Attachment C: Affidavit of Non-Collusion

FURA will appoint a review panel to evaluate and determine the proposal’s eligibility for PBVs based on the following factors:

Threshold Factors	Weight of Factor
Site Control	5
Feasibility	5
Development Experience	10
Owner Experience	10
Management Experience	10
Community Amenities	20
Complex Amenities	20
Deconcentration of Poverty	20
Total Maximum Points	100
Threshold for Approval 80%	80

**Fairport Urban Renewal Agency**  
Attachment A  
Project Information Form

Date of application: \_\_\_\_\_

**CONTACT INFORMATION**

**Project Name:** \_\_\_\_\_

**Principal Party:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

**Applicant Name:** \_\_\_\_\_

**Applicant Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Owner Name:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

**Developer Name:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

## Acknowledgement and Signature

I attest and certify that all of the information herein contained is true and accurate to the best of my knowledge. I understand that by submitting this Section 8 project based assistance application there is no promise or guarantee from FURA that my proposal will be accepted. I understand that in-place existing tenants must be certified as eligible to receive project based assistance, and if they are not eligible, I may not displace them in order to qualify their unit for project based assistance. I understand and agree to abide by all federal Section 8 requirements found at 24 CFR 983 and FURA's PBV requirements found in its Administrative Plan.

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Authorized Signature of Applicant

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Date

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Print Name and Title

**Attachment B - FURA Request for Proposals for Project Based Vouchers  
24 CFR 982.55 Site Selection Standards**

**Compliance with PBV Goals, civil rights requirements and site and neighborhood standards.**

All applications must include a written narrative in their proposal addressing each of the following:

**HUD’s statutory goal of “deconcentrating poverty and expanding housing and economic opportunities”**

1. **HUD Designated Zone:** Whether the census tract in which the proposal will be located is in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community.
2. **Public Housing Demolition:** Whether a PBV development will be located in a census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition.
3. **Significant Revitalization:** Whether the census tract in which the proposed PBV development will be located is undergoing significant revitalization.
4. **Public Investment:** Whether state, local, or federal dollars have been invested in the area that has assisted in the achievement of the statutory requirement.
5. **New Market Rate Units:** Whether new market-rate units are being developed in the same census tract where the proposed PBV development will be located and the likelihood that such market-rate units will positively impact the poverty rate in the area.
6. **Decline in Poverty Rate:** If the poverty rate in the area where the proposed PBV development will be located is greater than 20 percent, the PHA should consider whether in the past five years there has been an overall decline in the poverty rate.
7. **Education and Economic Opportunities:** Whether there are meaningful opportunities for educational and economic advancements in the census tract where the proposed PBV development will be located.

Every PBV applicant must demonstrate to FURA that their project satisfies the twin goals of deconcentrating poverty and expanding housing and economic opportunity regardless of the project’s poverty rate as defined by the most recent census data. The applicant must address each of the seven criteria noted above.

FURA will make its assessment of an applicant’s project’s compliance with achieving these goals based on the totality of the applicant’s response, taking into consideration the target population to be served (i.e. family, elderly, disabled, populations needing

supportive services).

In addition, FURA will also further assess each proposal to determine if it achieves the following objectives:

- The project is suitable to facilitate and further full compliance with the applicable provisions of Title VI of the Civil Rights act of 1964 and the American Disabilities Act, Section 504 of the Rehabilitation Act of 1973.
- Site and neighborhood is reasonable free from disturbing noises and reverberations and other dangers to the health, safety and general welfare of the occupants.

**Attachment C – Affidavit of Non-Collusion**

**Affidavit of Non-Collusion**

State of \_\_\_\_\_)

County of \_\_\_\_\_) S.S. City of \_\_\_\_\_)

\_\_\_\_\_ (Name) being first duly sworn deposes and says: that he/she is \_\_\_\_\_ (Title) of \_\_\_\_\_ (Company) the party making the foregoing proposal or bid, that such bid is genuine and not collusive or sham that said bidder has not colluded, conspired, connived, or agreed directly or indirectly, with any bid, bidder, or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly, or indirectly, sought by agreement or collusion, or communication or conference with any person to fix the bid price of affiant or any other bidder, or to fix any overhead, profit, or cost element of said bid price, or of that of any bidder or to secure any advantage against FURA or any person interested in the proposed contract and that all statements contained in said proposal or bid are true.

Each bidder that contacts FURA during the restricted period of a proposal or bid shall only make contact with the individuals stated in the bidding paperwork provided by FURA or contact those referred to by an individual stated in the FURA bidding paperwork. Contact to any other employee, officer, or member of the FURA regarding a bid or proposal during the restricted period is in violation of New York State – State Finance Laws Section 139-j and 139-k. The “restricted period” of a bidding opportunity is the period of time commencing with the earliest written notice or advertisement and ending with the final contract award written notification provided by FURA. By signing this affidavit, the bidder understands of and agrees to comply with the FURA’s procedures relating to permissible contacts during a governmental procurement pursuant to New York State Finance Laws Section 139-j and 139-k, that all information provided to the FURA with respect to these sections is complete, true, and accurate. In the event such certification is found to be intentionally false, intentionally incomplete, or does not disclose the determination of being non-responsible by any other governmental entity for violating similar regulations over the previous four years then the FURA reserves the right to terminate any contracts awarded to such bidder.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Subscribed and sworn to this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.