



The Municipal Housing Authority for the City of Yonkers
1511 Central Park Avenue, Yonkers, NY 10710
Tel: 914-793-8400
www.mhacy.org

THE MUNICIPAL HOUSING AUTHORITY
FOR THE CITY OF YONKERS

Request for Proposal for Project-Based Vouchers

The PHA is seeking proposals for Section 8 Project-Based Vouchers units through the following

Request For Proposals, competitively selected among the following categories:

- Supportive Housing for the Homeless
- Mixed Income Affordable Housing
- Affordable Housing for the Elderly

Submission Deadline	Anticipated Selection Dates
June 16 th , 2021	June 21 st , 2021 - June 25 th , 2021

For all matters concerning this Request for Proposals (“RFP”), contact:

Leased Housing and Tenancy Administration Programs
The Municipal Housing Authority for the City of Yonkers
1511 Central Park Avenue, Yonkers NY 10710
E-mail: pbv2021rfp@mhacy.org

Submit completed application by email (PDF format) or via Express Mail or FedEx to:

➤ Email: pbv2021rfp@mhacy.org Subject line: “PBV RFP Submission_ Project Name”

➤ Express Mail or FedEx:

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Program Overview

The Municipal Housing Authority for the City of Yonkers (MHACY) is seeking proposals from owners of properties and/or developments seeking federal rent subsidies under its Section 8 Project-Based Voucher (PBV) Rental Assistance Program. Project-Based Vouchers (PBVs) are vouchers from the regular tenant-based Section 8 Housing Choice Voucher (HCV) Program, which MHACY dedicates to specific units in a project, as defined under the regulations. Eligible families receive rental assistance by executing a Section 8 rental agreement in an existing, newly constructed, or rehabilitated units, and they continue to receive assistance as long as they reside in the specific project-based dwelling unit and remain in compliance with the Section 8 regulations. The PBV remains with the original unit, and MHACY administers these PBVs for any project that is within the City of Yonkers.

The goals and objectives of the program are to contribute to the upgrading and long-term viability of the city's housing stock; increase the supply of affordable housing and locational choice for very low income households; integrate housing and supportive services to help families and individuals achieve stability and self-reliance; promote the coordination and leveraging of resources of public, semi-public, or non-profit agencies with compatible missions; support the City of Yonkers affordable housing goals; and assist the State of New York, Westchester County, and City of Yonkers with their plans to end homelessness by providing rental subsidies to supportive housing and other projects designed to house persons experiencing homelessness.

Almost any type of newly constructed or existing structure may be used to support a PBV proposal, though proposals for new construction projects could be eligible for more points, as explained below. Up to 25 percent of the units in a building, or 25 units in a building (whichever is greater) can be assisted under the PBV program, except for buildings for elderly households or those households where supportive services are available, which can be up to 100% PBV assisted. Each project must apply for a minimum of ten (10) project-based-vouchers. Extra points are awarded for projects that use the PBV to create non-PBV affordable housing within the project. Owners must be willing to enter into a Housing Assistance Payments (HAP) Contract with MHACY for at least one year, and up to twenty years.

Application Process

MHACY is accepting all applications via email or Express Mail or Fedex. Please send all questions in writing by May 28, 2021. **Applications are due Wednesday, June 16 and must be received by 4:30pm. All other applications received after this due date and by the last working date in each month will be evaluated the following month for future award of Project-Based Vouchers.**

Proposals will be evaluated on the criteria stated in the RFP. MHACY reserves the right to reject any and all proposals and waive any irregularities or informalities if it is in the Authority's best interest to do so. The Authority reserves the right to cancel this RFP or to reject, in whole or in part,

any and all proposals received in response to this RFP, upon its determination that such cancellation or rejection is in the best interest of the Authority.

MHACY is an Equal Opportunity Employer and does not discriminate on the basis of race, sexual orientation, color, national origin, sex, religion, age, disability, or family status. The Authority solicits and encourages the participation of minorities and small businesses in procurement.

Contact related to this procurement with members of the Authority's Board of Commissioners, or MHACY's officers and/or employees other than the program shown above, during the procurement process could result in disqualification of a proposal.

THE MUNICIPAL HOUSING AUTHORITY
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SECTION 8 PROJECT-BASED VOUCHER RENTAL ASSISTANCE

Eligible Projects

Almost any type of newly constructed or existing structures, including single-family housing and multifamily structures may be used for PBV. For the proposed project to qualify as rehabilitation under PBV program, existing structures must require a minimum expenditure of \$3,000 per assisted unit, including the unit's prorated share of work to be accomplished on common areas or systems. Units must meet Housing Quality Standards as specified in 24 CFR Section 982.401. Both new construction and rehabilitation sites must meet site and neighborhood standards as specified in 24 CFR Section 983.57, and the Environmental Review requirements in 24 CFR Section 983.58. Construction work is subject to Section 3 requirements. 24 CFR Section 135.

Up to 25 percent of the units in a building, or 25 units in a building (whichever is greater) can be assisted under the PBV program, except for buildings for elderly households or those households where supportive services are available, which can be up to 100% PBV assisted. Typically, this will mean that mixed-income projects, as defined below, will have the required cap. Projects meeting the criteria for elderly and supportive services will typically not be operating under this cap if they meet the criteria noted below.

Vacancies

Vacancies in PBV units must be filled by eligible families currently on the MHACY Section 8 waiting list, except for supportive housing PBV units or those units reserved for special populations. For supportive housing PBV units, MHACY may accept applicant referrals from the supportive housing manager or administrator. If the referred applicant meets Section 8 eligibility requirements MHACY will approve the person or family to live in the PBV unit.

Selection Criteria

Proposals for PBVs will be reviewed in accordance with the selection policy requirements as set forth under 24 CFR Part 983- Section 8 Project-Based Voucher Program, and in accordance with the MHACY Board-approved proposal review criteria noted below. The financial feasibility of a proposal will be determined

by the MHACY review process, but cannot include consideration that the project will get PBV assistance. After MHACY has completed their review, it will rank the projects according to the criteria below. Any recommendations will then go to the MHACY Board of Commissioners for approval to project base the Section 8 assistance in the development. Contingent upon formal MHACY Board and HUD approval, and compliance with all project-based regulations, MHACY will offer the owner or developer the opportunity for an agreement to enter into a Housing Assistance Contract (or Housing Assistance Payments Contract) and subsequently issue authorization to proceed with construction or rehabilitation project.

Proposal Review Criteria (100 Points Total, per category)

Selection Criteria: All applicants must apply for Project-Based-Vouchers through MHACY’s RFP. All projects will be evaluated under the General Criteria for All Projects (30 Points). The applicant will select which of the remaining three categories they wish to be evaluated under (70 Points), depending on what has been made available in the RFP (Mixed Income, Affordable Housing for the Elderly, Supportive Housing for Persons Experiencing Homeless).

a. General Criteria for All Projects (30 Points Maximum): All projects submitted for consideration will be evaluated under these three criteria.

- i. Prior extensive experience of the applicant in developing and managing similar residential housing with project-based voucher subsidies and demonstrated ability and capacity of the applicant to proceed expeditiously with the proposal. 10 Points.
- ii. Leveraging: Extent to which PBV voucher proposal is created in a project that has additional affordable housing beyond what is provided by the PBV units. 20 Points.
- iii. Minimum Size: In order to be considered eligible for Project-Based Vouchers, any project must be applying for at least ten (10) units for Project-Based assistance, or all units in the project, whichever is less.

b. Mixed-Income Affordable Housing: Projects that are applying for Project-Based Vouchers with the intent of creating mixed-income or mixed-finance projects will be selected in accordance with the following additional criteria. (70 Point Maximum.)

i. A project that is New Construction at the time of application. 35 points

- I i. A project that is located in a low-poverty census tract, which is defined as “one where the poverty rate is 20% or less, as defined by the most recent American Community Survey 5-Year Estimates.” (A project that qualifies for this exception at the time of the HAP Contract Execution continues to qualify for the exception for the length of the contract, regardless of future changes in the poverty rate.) 35 points.

c. Affordable Housing for the Elderly: Projects that are applying for Project-Based Vouchers with the intent of creating affordable housing units specifically designed to house elderly families. (70 Point Maximum.)

- i. A project that is New Construction at the time of application. 30 points
- ii. A project that is located in a low-poverty census tract, which is defined as “one where the poverty rate is 20% or less, as defined by the most recent American Community Survey 5-Year Estimates. (A project that qualifies for this exception at the time of the HAP Contract Execution continues to qualify for the exception for the length of the contract, regardless of future changes in the poverty rate.) 30 points.
- iii. Provide (or contract for) supportive services appropriate for the population served. 10 points.

d. Supportive Housing for the Homeless: Projects that are applying for Project-Based Vouchers with the intent of creating affordable housing options with supportive services on-site to assist homeless clients will be selected in accordance with the following additional criteria. (70 Point Maximum.)

- i. Requirement for all of the following (45 points):
 - 1. Serve homeless individuals and families, as defined in MHACY’s admin plan. 15 points.
 - 2. Provide (or contract for) on-site supportive services appropriate for population served. 15 points.
 - 3. Obtain referrals from agencies which serve the homeless population, and provide these to MHACY to determine eligibility criteria. 15 points.
- ii. Extra points for the following (25 Point Maximum):
 - 1. Projects where the PBV units will serve individuals and families who meet the definition of homeless under Section 103 of the McKinney-Vento Homeless Assistance Act. 15 points.
 - 2. A project that is new Construction at the time of application. 10 points.
 - 3. A project that is located in a low-poverty census tract, which is defined as “one where the poverty rate is 20% or less, as defined by the most recent American Community Survey 5-Year Estimates”.

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SECTION 8 PROJECT-BASED VOUCHER RENTAL ASSISTANCE

Additional Information

Financing

Financing for the construction or rehabilitation must be obtained independently by the owner.

Eligible and Ineligible Properties

MHACY cannot select units that do not meet basic program requirements. HUD development regulations specify ineligible units for the PBV Program. Applications for ineligible units will be disapproved and not ranked or selected.

1. Subpart H of Part 982 of this chapter of federal regulations does not apply. Newly constructed and existing structures of various types may be appropriate for attaching assistance to the units under Part 983, including single-family housing and multifamily structures.
2. An HA may not attach assistance under Part 983 to units in the following types of housing:
 - a. Housing for which the construction is started before Agreement execution;
 - b. Housing for which the rehabilitation is started before Agreement execution;
 - c. Shared housing; nursing homes; and facilities providing continual psychiatric, medical, nursing services, board and care or intermediate care;
 - d. Units within the grounds of penal, reformatory, medical, mental, and similar public or private institutions;
 - e. Units that are owned and controlled by an educational institution or its affiliate and are designated for occupancy by students of the institution;
 - f. Manufactured homes;
 - g. the Homeownership Option; or
 - h. Transitional housing.
3. An HA may not attach or pay PBV assistance to units in any of the following types of subsidized housing:

- a. Public housing;
 - b. A unit subsidized by any other form of Section 8 assistance (tenant based or project based);
 - c. A unit subsidized with any governmental rent subsidy;
 - d. A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
 - e. A unit subsidized with Section 236 rental assistance payments, however, assistance can be provided to a unit subsidized with Section 236 interest reductions payments;
 - f. A unit subsidized with rental assistance payments under Section 521 of the Housing Act of 1949;
 - g. A project with a Section 202 loan;
 - h. A Section 202 project for non-elderly persons with disabilities (Section 162 assistance);
 - i. Section 202 supportive housing for the elderly;
 - j. Section 811 supportive housing for persons with disabilities;
 - k. A Section 101 rent supplement project;
 - l. A unit subsidized with tenant-based assistance under the HOME program; or
 - m. Any unit with any other duplicative Federal State, or local housing subsidy, as determined by HUD. For this purpose, "housing subsidy" does not include the housing component of a welfare payment, a social security payment received by the family, or a federal, state, or local tax concession.
4. Assistance may not be attached to a unit that is occupied by an owner.
 5. The housing must comply with program accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR Part 8.
 6. For all units, the site selection standards in 24 CFR Part 983.57 apply, as described therein.
 7. "HA-owned unit" means a unit (other than public housing) that is owned by the HA which administers the assistance under this part 983 pursuant to an ACC between HUD and the HA (including a unit owned by an entity substantially controlled by the HA).
 - a. A HA-owned unit may only be assisted under the project-based voucher program if:

(i) The HA-owned unit is not ineligible housing under this section.

(ii) The selection of MHACY owned units was done in accordance with 983.51.

(iii) The HUD field office has approved an independent entity that determines reasonable rents both for initial and annual rent determinations and conducts inspections on the PHA owned units.

b. As owner of a HA-owned unit, the HA is subject to all of the same program requirements that apply to other owners in the program.

c. HUD may pay a lower administrative fee for MHACY owned units.

d. HA-owned units are subject to the same requirements as units that are not HA-owned, including the ineligibility of units that are currently public or Indian housing and units constructed or rehabilitated with proposals that are accessible to the elderly/handicapped and/or which provide amenities or services for special needs tenants; and proposals for projects to be located in areas with little or no subsidized housing.

Requirements for Rehabilitation and New Construction Projects

All proposals must attain all approvals before construction or rehabilitation may begin, including environmental, subsidy layering and other regulatory approvals. In addition, the owner must also sign the Agreement to Enter into a Housing Assistance Payments Contract prior to the start of construction or rehabilitation. After such work is completed, owners must enter into a Housing Assistance Payments (HAP) Contract with PHA for a minimum term of one year to a maximum of twenty years. Please see lower for additional details.

Subsidy Layering Review requirements

For all approved proposals, MHACY may not provide PBV assistance or commit to provide assistance until a subsidy layering review is completed. The subsidy layering review is required by HUD and is intended to prevent excessive public assistance for the housing by reviewing all governmental housing assistance received on the particular project. Once the subsidy layering review is completed and approved by HUD, the owner must certify that no additional public assistance will be used in the project other than what was originally disclosed in the subsidy layering review process.

Environmental requirements

Any applicant who is awarded Project-Based-Vouchers must work with the Responsible Entity to have an Environmental Review completed before MHACY is able to formally commit any Project-Based-Vouchers for a project.

The “Responsibility Entity” is the unit of general local government within which the project is located that exercises land use responsibility or, as determined by HUD, the county or State has completed the

environmental review required by 24 CFR part 58 and provided to the HA for submission to HUD the completed request for release of funds and certification.

Other requirements

Where applicable, the following requirements must be met:

1. Clean Air Act and Federal Water Pollution Control Act.
2. Flood Disaster Protection Act of 1973.
3. Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the regulations in 24 CFR part 135.
4. Executive Order 11246, Equal Employment Opportunity (for construction contracts over \$10,000).
5. Executive Order 11625, Prescribing Additional Arrangements for Developing and Coordinating a National Program for Minority Business Enterprises.
6. Executive Orders 12432, Minority Business Enterprises and Development, and 12138, Creating a National Women's Business Enterprise Policy.
7. Payment of not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act, to all laborers and mechanics employed in the construction or rehabilitation of the project under an Agreement covering nine (9) or more assisted units, and compliance with the Contract Work Hours and Safety Standards Act, Department of Labor regulations in 29 CFR part 5, and other Federal laws and regulations pertaining to labor standards applicable to such an agreement.
8. The provisions of part 24 of this title relating to the employment, engagement of services, awarding contracts, or funding of any contractors or subcontractors during any period of debarment, suspension, or placement in ineligibility status.

Other Federal Requirements

Participation in the PBV program requires compliance with various other federal requirements, noted at 24 C.F.R. 983.4, including all Equal Opportunity requirements (as specified in 24 C.F.R. 982.53) imposed by contract or federal law, including applicable requirements under:

1. The Fair Housing Act, 42 U.S.C. 3610-3619 (implementing regulations at 24 CFR parts 100, et seq.);
2. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (implementing regulations at 24 CFR par 1);

3. The Age Discrimination Act of 1975, 42 U.S.C. 6101-6107 (implementing regulations at 24 CFR part 146);
4. Executive Order 11063, Equal Opportunity in Housing (1962), as amended, Executive Order 12259, 46 FR 1253 (1980), as amended, Executive Order 12892, 59 FR 2939 (1994) (implementing regulations at 24 CFR part 107);
5. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (implementing regulations at 24 CFR part 8); and
6. Title II of the American with Disabilities Act, 42 U.S.C. 12101, et seq.
7. For the application of equal opportunity requirements at an Indian Housing Authority, see 24 CFR 950.115.
8. The HA must submit a signed certification to HUD of the HA's intention to comply with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act.

In formulating this Guide, MHACY relied upon 24 CFR Part 983, recent HUD guidance in PIH 2017-21, and its own policy. To the extent there are conflicts between any provisions in those sources and the language in this guide, the provisions in those sources shall control.

The MHACY'S Administrative Plan, including an Appendix for Project-Based-Vouchers, can be referenced at www.mhacy.org.

If your questions are not answered in this Guide or in the Administrative Plan, please contact The Leased Housing and Tenancy Administration Programs' Director -Marcie Ciuffetelli- at mciuffetelli@mhacy.org, for additional information.