



DELAWARE STATE HOUSING AUTHORITY

REQUEST FOR PROPOSALS

**Project Based Vouchers: Substantial
Rehabilitation & New Construction**

Proposal Due: September 4, 2024, 3:00 p.m.

**To: Elana Davis
Director of Housing Management
500 W. Loockerman St. Ste 104
Dover, DE 19904**

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**SECTION I
INTRODUCTION**

The Delaware State Housing Authority (DSHA) was founded in 1968. It has a 147-person staff with over \$500 million in assets. DSHA is committed to expanding and enhancing access to affordable housing options for the residents of Delaware. With a housing portfolio that contains over 230 public housing units and over 266 LIHTC units, that range from single family homes to multifamily apartments, DSHA is enhancing and expanding its portfolio to include the rehabilitation of existing properties and the development of new units.

The Delaware State Housing Authority (“DSHA”) requests proposals from qualified property owners and/or developers (including non-profits and Community Development Corporations) under the Project-Based Voucher (“PBV”) Program. The DSHA’s PBV program is designed to conform to the Project-Based Voucher Program Final Rule published on October 13, 2005, Federal Regulations at 24 CFR Part 983 as modified by the Housing and Economic Recovery Act of 2008 (Federal Register Notice 73 FR 71037), other applicable Notices from the Department of Housing and Urban Development, the implementing provisions of the Housing Opportunity Through Modernization Act of 2016 (Federal Register Notices 82 FR 2458 and 82 FR 32461).

Any questions regarding this Request for Proposals should be in writing and directed to:

Elana Davis – Director of Housing Management
500 W. Loockerman St. Ste 104
Dover, DE 19990
Elana.Davis@Delaware.gov

A complete proposal package may be obtained from: Business Opportunities Section of the DSHA website, www.destatehousing.com/

1- Following are the Key Dates associated with this Request for Proposals:

September 4, 2024	Deadline for Submission of Proposals
August 14, 2024	Pre-submission Meeting:
August 21, 2024	Deadline for the submission of written questions.

**Deadlines are subject to extension at DSHA discretion and will be communicated as an addendum to this solicitation.

Request for Proposal (RFP) Presubmission Meeting and Schedule

Key Dates:

- Presubmission Meeting: August 14, 2024
- Deadline for RFP Questions: August 21, 2024
- Addendum with Answers: August 28, 2024

Please ensure that all questions regarding the RFP are submitted by August 21, 2024. Responses to the questions will be provided in an addendum, which will be released on August 28, 2024.

DSHA will also accept online submissions **via email** for this Request for Proposals. For respondents wishing to submit online, email all submissions to Elana.Davis@Delaware.gov.

Please include your name, email address and date of submission before submitting and upload all relevant attachments in the same document. Formatting for online submission should be organized in the same manner as submitting the information via flash drive. The title of the uploaded bid shall be as follows:

[Full Company Name]_RFP #DSHA_25_HM01 PBV Substantial Rehab New Construction

In the unlikely event your bid is too large to be uploaded as a single file, add: _Part-1, _Part-2... etc. to the end of the file name.

Proposals may still be mailed via USPS at which time they will be Time and Date Stamped at 500 W. Lookerman St. Ste 104 Dover, DE 19904

All proposals must be received at the above address no later than the specified deadline, regardless of the selected delivery mechanism.

September 4, 2024, by 3 P.M. ET

Program Objectives:

DSHA is undertaking this solicitation to expand the available housing choices for low- and moderate-income families in the State of Delaware; to spur development of quality housing in areas where DSHA is planning or undertaking redevelopment, where quality housing affordable to such households is not readily available, in neighborhoods of opportunity, and to expand the availability of affordable, quality rental housing in a tightening local real estate rental market.

The PBV program is designed to promote the preservation and expansion of the supply of affordable rental housing in Delaware, with a strong emphasis on new or existing rental housing developments that:

1. Are located in Kent and Sussex County where affordable housing is greatly needed.
2. Encourage veterans housing with integration of supportive services.
3. Leverage and build on housing and/or other investments made or planned by the Delaware State; and/or,
4. Incorporate energy conservation, sustainability, and excellence in design.
5. Address equity and serve traditionally underserved BIPOC communities.
6. Encourage additional accessibility in non-elderly and non-disabled buildings.

DSHA is seeking proposals that reflect innovative approaches to addressing the community's housing needs. Selected proposals must be consistent with and supportive of the Delaware State housing needs study, DSHA's mission and the goals established for this program initiative.

Significant program policies and requirements

1. All housing units must meet HUD Meet NSPIRE Standards. See 24 CFR 982, Subpart I.
2. Davis-Bacon wage rates. See 24 CFR 983.154.
3. Environmental review regulations at 24 CFR parts 50 and 58. See also 24 CFR 983.58.
4. Subsidy layering review regulations at 24 CFR 983.55

Eligible Owners include non-profit and for-profits entities including DSHA and its affiliates. Neither the owner nor any other project principal or officer can be: 1) Listed on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement programs; 2) Sanctioned, debarred, or otherwise prohibited or limited from performing work on HUD-funded projects; or, 3) Prohibited from working on DSHA-funded projects.

Eligible Units include existing, new construction or substantial rehabilitation units in multifamily or single-family buildings that meet or exceed HUD Housing Quality Standards.

Standard HUD contracts and forms generally used in the traditional PBV program are utilized for the PBV program, including the Agreement to Enter into A Housing Assistance Payments Contract (AHAP), PBV Housing Assistance Payments Contract (HAP) and PBV Tenancy Addendum.

Maximum subsidy levels and form of subsidy may vary among projects. Based on an analysis of owner submissions and a determination of the public benefits associated with each project, DSHA may negotiate and agree to rent levels that exceed 110% of FMR, to deeper or shallower subsidy levels, and/or to other alternative forms of subsidy.

No displacement of current tenants is allowable.

DSHA will consider award of approximately **250 units** of housing under this solicitation to be awarded to the successful property owners and/or developers.

The only assistance available and to be considered through this process is PBV assistance. Any other elements of a proposed project, such as use of DSHA or other publicly or privately owned property, or a need for gap or other financing support beyond the project-based voucher assistance, should be addressed separately from the proposals submitted in response to this RFP.

There is no gap funding or other financing support available through this solicitation!

Owners/developers seeking gap financing in addition to Project Based Voucher assistance should respond to DSHA's other notices of funding availability.

DESCRIPTION OF PBV PROGRAM

Through the PBV program, DSHA will enter into housing assistance payment contracts with selected property owners/developers for designated rental units for a term of up to twenty years subject to funding availability. Housing assistance subsidies will be provided while eligible families occupy the rental housing units, and the units meet other program standards. DSHA's published subsidy standards will determine the appropriate unit size for the family size and composition. Please note that DSHA is NOT applying Small Area Fair Market Rents to PBV's.

DSHA is now seeking proposals for PBV assistance for rehabilitated or newly constructed housing units. The housing units that will be rehabilitated or newly constructed after this RFP's award must be developed pursuant to a to-be-executed PBV Agreement to Enter into HAP Contract (AHAP). Certain types of housing units and/or developments are **not** eligible for PBV assistance including:

- Shared housing
- Units on the grounds of a penal, reformatory, medical, mental, or similar public or private institution
- Nursing homes or facilities providing continuous psychiatric, medical, nursing service, board and care, or intermediate care. However, DSHA may approve assistance for a dwelling unit in an assisted living facility that provides home health care service such as nursing and therapy for residents of the housing
- Units that are owned or controlled by an educational institution or its affiliate and designed for occupancy by the students of the institution.
- Manufactured homes
- Transitional housing
- Owner-occupied housing units
- Units occupied by an ineligible family at the time of proposal submission or prior to execution of the Housing Assistance Payment (HAP) contract; however, DSHA will accept proposals for existing properties with a limited number of currently ineligible households.
- The following subsidized housing unit types determined ineligible in accordance with HUD regulations. These include, but are not limited to,
 - public housing units
 - units subsidized with any other form of Section 8 assistance
 - units subsidized with any governmental subsidy that covers all or part of the operating costs of the housing
 - units subsidized with rental assistance under Section 236, Section 521, or Section 101
 - units subsidized with Section 202 including supportive housing for the elderly
 - units subsidized under Section 811
 - units subsidized with any form of tenant- based rental assistance as defined at 24 CFR 982.1(b)(2) including units subsidized with such assistance under the HOME program; and, units with any other duplicative federal, state, or local housing subsidy as determined by HUD or DSHA.

Additional Restrictions and Limitations on the Use of Project Based Voucher Assistance under HUD Income Mixing Requirements:

The number of PBV assisted units in the project cannot exceed the greater of 25 units or 25 percent (25%) of the total number of dwelling units in the project. The only currently available exceptions to this cap are:

- a. Units exclusively serving elderly families (head, co-head, spouse, or sole members is 62 years of age or older).
- b. Units made available specifically for households eligible for supportive services available to all households of the project such as families with a household member with a disability, as well as other populations. This exception is designed for housing with linked supportive services for various special needs populations that have a preference for families requiring the available services. See HUD regulations at 24 CFR 983.56 as amended by notices implementing HOTMA, as referenced above.
- c. Projects in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey 5-year estimates, are subject to an alternate cap of the greater of 25 units or 40 percent of the total number of dwelling units in the project.

Please note that Federal Register Notice 82 FR 32461 published July 14, 2017, states that a PHA may not rely solely on participation in or availability of a Family Self-Sufficiency Program for the unit to meet the supportive services exception.

VII. Evaluation Process

An Evaluation Committee to review all proposals received. The Evaluation Committee will first review proposals to determine if the proposal includes all required proposal elements as specified herein. DSHA may request additional information or determine that the proposal is incomplete and/or non-responsive without conducting any further evaluation.

Proposals determined to include all required proposal elements will be evaluated using the following evaluation criteria in a two-step process. In the first step, the Evaluation Committee will review and evaluate the proposal against the Financial Feasibility, Previous Experience and Project Design criteria.

Projects that are determined to be feasible in the first step will move on to the second step of the evaluation process, in which the remaining criteria will be evaluated.

Scoring helps to identify the level to which a project meets the objectives and goals adopted by DSHA. DSHA does not make awards based on scores alone. Additional factors are taken into consideration including but not limited to, timeliness, significance of funding gaps, comprehensive plan guidance, anti-displacement policies, geographic location and distribution, and emerging developer status.

Evaluation Criteria	Points
Financial Feasibility	20
Previous Experience of Applicant in Development and Property Management of Projects of Similar Scale for Similar Target Population (Evaluated for all projects)	20
Project Design (Evaluated for all projects)	10
Supportive Services Plan and Capacity	15
Development Timeline & Readiness	20
Kent and Sussex County	15
Maximum Number of Points	100

FINANCIAL FEASIBILITY

For new construction or rehabilitated housing, 10 of 20 points will be assigned based on the extent to which the proposal demonstrates that:

- A comprehensive and realistic construction and permanent financing budget has been prepared; and,
- Construction and permanent funding are firmly committed including documentation from all funding sources.

DSHA will assign points by reviewing the construction and permanent financing committed at the time of application – or deemed by DSHA to be highly likely to be committed within a reasonable period of time after proposal submission - and specifics on the plan to secure remaining funding. At its sole discretion, DSHA may defer final approval of a proposal pending receipt of financing commitments from other funding sources from which the developer has requested funding, or DSHA may issue a conditional award letter subject to receipt of further financing approvals and/or other conditions.

All projects (whether new construction or rehab must provide a 10-15-year operating proforma with line-item detail sufficient for a knowledgeable reviewer to evaluate the feasibility and completeness of the budget.

For new construction and rehabilitation projects, the operating proforma will constitute 10 of the 20 points for this rating factor.

The operating proforma must include line-item detail including, but not limited to:

- Estimated revenue by all sources; and,
- Estimated expenses for all categories including maintenance, utilities, capital reserves, security, resident supportive services, insurance, taxes, etc. Footnotes or other narratives must be presented where necessary to clarify assumptions about sources and uses.

DSHA will review budgets to assess whether realistic and appropriate assumptions have been made regarding the cost and level of on-site staffing, security, and other costs.

PREVIOUS EXPERIENCE OF APPLICANT IN DEVELOPMENT AND PROPERTY MANAGEMENT

For new construction and rehabilitation projects, a high scoring proposal must demonstrate that the applicant has either directly or through its team assembled all of the personnel, skills and other resources needed to complete the development project described in the proposal. This can be evidenced by reference projects of similar scale, budget, and complexity.

For all proposals (new construction, rehab), a high scoring proposal must demonstrate that the applicant has a track record of successfully leasing up and managing projects of similar scale, complexity, and resident populations, and has developed a responsive and comprehensive management plan:

- Information on the portfolio currently managed by the property management team must be presented including number of units, population housed, and location.

- The management/maintenance plan presented in the proposal should not be a boilerplate example. A high scoring proposal will include a management plan that reflects the specific considerations of the site and the resident population including site/occupancy rules where applicable.

Include a detailed management and maintenance staffing plan that provides sufficient information for DSHA reviewers to determine the level of staffing that will be present on-site during business and non-business hours, the approach to off-hours emergencies and other relevant property management information.

C. PROJECT DESIGN

A high scoring proposal will demonstrate that the project incorporates good design, especially utilizing “green,” environmentally sustainable building principles. Five (5) bonus points may be awarded for developments that provide evidence of LEED or equivalent certifications. Good design also incorporates site, unit and common area features and amenities that are responsive to the needs of the resident population.

In evaluating this rating factor, DSHA will consider information presented in the proposal including:

- The extent to which the project design incorporates “best practices” for the resident population. For example, projects that house chronically homeless must incorporate a range of design considerations related to safety, durability, the need to encourage socialization, and the need for on-site services.
- The extent to which the project incorporates single family dwellings and/or lower density.
- LEED or other similar designations that provide evidence of environmentally sustainable design.
- Other energy efficiency features and improvements.
- Treatment of common areas and building grounds.
- Availability of other on-site amenities.

D. SUPPORTIVE SERVICES PLAN AND CAPACITY

A high scoring Supportive Services Plan must demonstrate that the proposer:

- Has planned and documented a high-quality supportive services program that is results/outcome oriented and responsive to projected needs of the resident population including both adults and youth. It should include narrative and a matrix that lists the types of supportive services, the eligible target population for each type of service, the number of persons to be served for each type of service, where the service will be provided, who will provide each service, the number of staff and number of hours for each staff member, the amount budgeted for each service, and the projected outcomes of each service;
- Has identified and secured the resources, partnerships and staffing needed to effectively execute the plan. This must include specific funding amounts by service type and provider including information on the duration of the funding. General or conditional support letters are not adequate; and,
- Has assembled and obtained firm commitments from a team with documented track record(s) of effectively providing such services in residential locations to comparable populations. This must be demonstrated by providing reference projects of similar scale and scope.

Development timeline

A high scoring proposal will demonstrate that the project incorporates has a realistic development plan including:

- Pre-development including:
 - o Estimated dates for Schematic/conceptual design, Design Documents, Construction documents
- Estimated date for tax credit submission
- Estimated date for the financing partner selection
- Estimated date of closing
- Estimated construction phase
- Estimated HAP contract effective date

Kent and Sussex County

- 10 points will be awarded to Development located in a census tract with a poverty rate > 10% below the statewide average:
- 15 points Development located in a census tract that has been designated as an area of opportunity and/or that has a poverty rate lower than the statewide average:
- 10 points Development located in census tracts that are not designated as a revitalization area by the State of Delaware or that have poverty rates equal to or greater than the statewide average.

SECTION V

CONTENT OF RESPONSE DOCUMENTS

A. General Information

1. Letter of Interest (Cover letter)/ General project summary

B. Financial Feasibility

1. Comprehensive and realistic construction and perm financing
2. Summary of funding sources that are already committed, with letters of intent.
3. Operating Budget with narrative
4. 20-year proforma

C. Previous Experience

1. 3 project references of PBV or low-income developments
2. Management plan

D. Project Design

1. Narrative
2. Cost of the energy/environmental improvements
3. Energy/Environmental standard

E. Supportive Services

1. Narrative and a matrix
2. Partnership agreements and/or general conditional support letters

F. Development Timeline

1. Narrative
2. Timeline
3. **Location/Poverty statistics**
4. Narrative

Award Recapture

Projects awarded vouchers that are not actively moving towards the execution of an Agreement to Enter into a Housing Assistance Payment Contract (i.e., environmental review in progress, subsidy layering review in progress, etc.) within one (1) year of the award must provide an update and timetable for successfully entering into a contract within an additional 6 months, or the award may be rescinded. DSHA would require quarterly reports on progress once awarded. Projects provided a letter of commitment reflecting DSHA's interest in supporting a particular project that has not yet submitted or had a fully reviewed application must have submitted an application that has resulted in an award within 6 months, or the commitment may be rescinded.

SECTION VII PROCUREMENT AND AWARD PROCESS

Pursuant to 24 C.F.R. Section 85.36 (d)(3)/ 2 C.F.R. 200.319, **Project Based Vouchers** are being procured as described in Section II of this solicitation. The following instructions are intended to aid Offerors in the preparation of their Proposals:

A. Pre-Submission Conference

A pre-submission conference will be conducted on **August 14, 2024**.

Nothing discussed or expressed at the Pre-Submission Conference will change, alter, amend, or otherwise modify the terms of this Solicitation unless a subsequent written amendment (addendum) is issued. Verbal responses by DSHA's representatives shall not constitute an amendment or change to this Solicitation.

Material issues raised and addressed at the Pre-Submission Conference shall be answered solely through an addendum to this Solicitation. Likewise, ambiguities and defects of this Solicitation raised at the Pre-Submission Conference shall be corrected by a written amendment only, which, if issued, shall form an integral part hereof.

Although not mandatory, all prospective respondents are strongly encouraged to attend the Pre-Submission Conference. Failure to attend will not excuse the legal contractual duty imposed by this Solicitation and the subsequent contract on each respondent to familiarize itself with the request for proposals.

Each firm shall submit in writing to the Contract Manager to request additional information as follows:

1. Describe any items, information, reports or the like, if any, that the Proposer will require from the DSHA to comply with the scope of Services.
2. Identify any revisions to the Sample Contract that the Proposer will require to provide the services identified herein. Proposers are required to submit requests for revisions to the Contract, if any, to the DSHA in writing at the time of proposal submission.

B. Amendments to Solicitation

Any and all amendments to this Solicitation shall be sent by certified mail, return receipt requested, electronic mail, and/or by fax, to all potential Offerors who attend the Pre-Submission Conferences and/or receive the solicitation materials.

Notwithstanding any information that may be contained in the Solicitation and amendments thereto, Offerors are responsible for obtaining all information required thus enabling them to submit Responses.

C. Submission of Proposals and/or Amendments to Proposals; Deadlines

Responses may be hand-delivered or sent by certified or registered mail, return receipt requested, to the following address:

Elana Davis – Director of Housing Management
Delaware State Housing Authority
500 W. Loockerman St. Ste 104
Dover, DE 19904
Elana.Davis@Delaware.gov

DSHA will also accept online submissions **via email** for this Request for Proposals in addition to accepting submissions at our 500 W. Loockerman St. Ste 104 office. For respondents wishing to submit online, please email all submissions to Elana.Davis@Delaware.gov.

Please include your name, email address and submission date before submitting and upload all relevant attachments in the same document. Formatting for online submission should be organized in the same manner as if submitting the information via CD or flash drive. The title of the uploaded bid shall as follows:

[Full Company Name] RFP # DSHA_25_HM01 PBV SUB REHAB & NEW CONSTR

In the unlikely event your bid is too large to be uploaded as a single file, add: _Part-1, _Part-2... etc. to the end of the file name.

In addition to the electronic submittal above, The Delaware State Housing Authority will **be accepting proposals by email at Elana.Davis@Delaware.gov or physical proposals dropped off in person from 8:00 AM until the closing time of time of 3 P.M. on September 4, 2024** in the lobby of 500 W. Loockerman St. Ste 104, Dover, DE 19904. Proposals may still be mailed via USPS at which time they will be Time and Date Stamped at the above address. All proposals must be received at the above address no later than the specified deadline, regardless of the selected delivery mechanism.

- **September 4, 2024 3:00 P.M. ET**

Each Response will be date-time stamped immediately upon its receipt at DSHA to document its timeliness. Any Proposal received after the specified deadline shall be automatically rejected and will be returned unopened except as identified in the Instructions to Offerors attached hereto.

Any amendments to a response must be received before the specified response due date and time established for the delivery of the original Proposal except as identified in the Instructions to Offerors attached hereto.

D. Evaluation and Award Process

DSHA staff will review each Proposal to determine if it was complete and if it was responsive to this Request for Proposals. DSHA may allow an Offeror to correct minor deficiencies in its Proposal that do not materially affect the Proposal.

All Proposals determined to be complete and responsive will be provided to an DSHA Evaluation Committee. DSHA's Evaluation Committee will evaluate the Proposals utilizing the criteria established in Section V of this Request for Proposals.

DSHA reserves the right to interview Offerors in the competitive range, request additional information from selected Offerors and/or negotiate terms and conditions with selected Offerors.

DSHA will perform a responsibility determination of the highest ranked Offeror which may include reference and financial background checks.

DSHA will award a contract to the highest-ranked Offeror or Offerors determined to be responsive and responsible and whose offer is in the best interest of DSHA.

DSHA shall not be responsible for and will not reimburse any Offeror for any cost(s) associated with preparing a proposal.

A Proposal submitted by an Offeror does not constitute a contract, nor does it confer any rights on the Offeror to the award of a contract. A letter or other notice of Award or of the intent to Award shall not constitute a contract. A contract is not created until all required signatures are affixed to the contract.

E. NON-RESPONSIVE OR NON-COMPLIANT APPLICATIONS

If the DSHA determines that an application is non-responsive or non-compliant with this RFP, written selection criteria and procedures, or HUD program regulations, the application will not be considered.

The DSHA reserves the right to cancel this RFP for any reason or to reject applications at any time for misrepresentation, errors, or omissions of any kind, regardless of the stage in the process that has been achieved.

**SECTION VIII
TIMELINE**

The RFP process will adhere to the following schedule:

RFP Issue Date:	July 28, 2024
Pre-Proposal Conference	August 14, 2024
Proposals Due Date:	September 4, 2024
Committee Evaluation (Including Interviews):	September 4, 2024
Notice of Award:	September 25, 2024

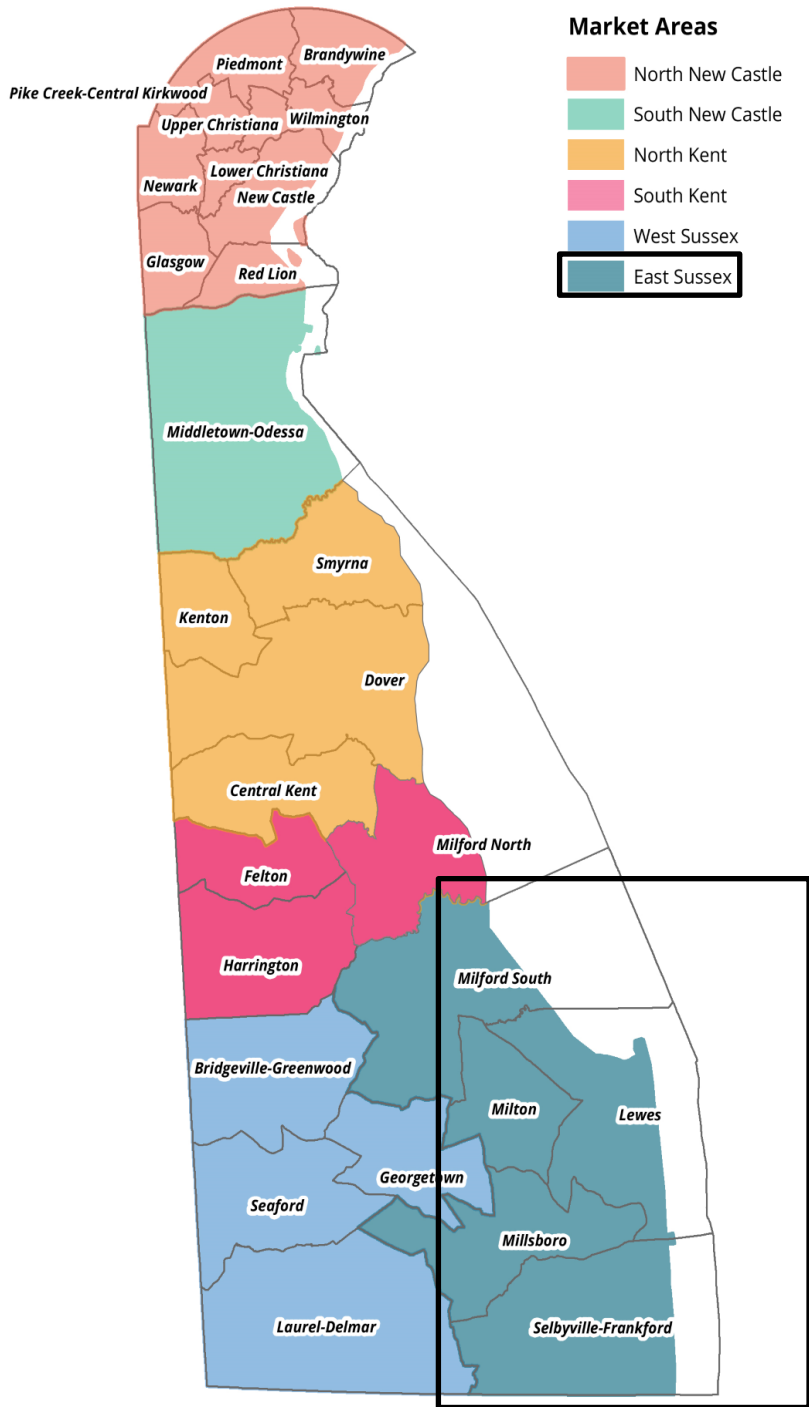
Attachments:

Attachment 1: Map of East Sussex County Market Area

Attachment 2: Minority and Women Business Enterprise Participation

Attachment 3: Section 3 Participation Plan

Attachment 1: Map of East Sussex County Market Area



Attachment 2: Minority and Women Business Enterprise Participation

Offeror: _____

RFP#: _____

Due Date: _____

ATTACH - SPECIAL PARTICIPATION SUMMARY

I. SMALL BUSINESS PARTICIPATION

Is the Offeror a Small Business as defined by the size and standards in 13 CFR 121?

Yes _____ No _____

II. MINORITY BUSINESS PARTICIPATION

Is the Offeror classified as a Minority Business Enterprise as defined in Art. 2, Part C of HUD-5369-C?

Yes _____ No _____

If "No", are any Consultants classified as Minority Business enterprises?

Yes _____ No _____

If "Yes", please fill in the following chart:

Consulting Firm (s)	\$ Value Contract	% of Fee (MBE)

III. WOMEN-OWNED BUSINESS PARTICIPATION

Is the Offeror classified as a Woman-Owned Business Enterprise as defined in Art. 2, Part C of HUD-5369-C

Yes _____ No _____

If "No", are any Consultants classified as Women-Owned Business Enterprises?

Yes _____ No _____

If "Yes", please fill in the following chart:

Consulting Firm (s)	\$ Value Contract	% of Fee (WBE)

****All MBE/WBE firms must be certified. For the MBE/WBE participation plan to be complete, copies of MBE/WBE certification must be included for all firms listed.**

Attachment 3:

Section 3 Participation Plan

Section 3 Clause

A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD- assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135/2 CFR Part 200, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with part 135/200 regulations.

C. The contractor agrees to send to each labor organization or representative or workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 2 CFR Part 200/24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 2 CFR Part 200/24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 2 CFR Part 200/24 CFR part 135.

E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 2 CFR Part 200/24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 2 CFR Part 200/24 CFR part 135.

F. Noncompliance with HUD's regulations in 24 CFR part 135/2 CFR part 200 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).



DELAWARE STATE HOUSING AUTHORITY

RFP# DSHA_25_HM01 PBV SUB REHAB & NEW CONSTR

SECTION 3 OPPORTUNITIES PLAN

Business Opportunities and Employment Training for Delaware State Housing Authority Low-Income Public Housing Residents (LIPH) and Area Residents of Low and Very Low-Income Status (ARLIS)

PRIME CONTRACTOR'S NAME: _____

SPECIFICATION OR RFP/IFB/RFQ NUMBER: _____

SPECIFICATION OR RFP/IFB/RFQ TITLE: _____

The Contractor hereby agrees to comply with all the provisions of Section 3 as set forth in 24 CFR Part 75 et seq. and the DSHA Section 3 Policy and Program requirements. The Contractor hereby submits this document to identify employment opportunities for DSHA residents (LIPH) and **Area Residents of Low and Very Low-Income Status (ARLIS)** during the term of the contract between the Contractor and the DSHA.

The preference of DSHA is to ensure that as many DSHA residents as possible are employed. In an effort to further that requirement, DSHA has created a preference tier structure as outlined in the DSHA Section 3 Policy and Program Manual which can be reviewed by visiting the "Vendor Services" section of www.DSHA.org. Contractors are required to comply with Section 3 by first considering Tier I – Hiring. If the Contractor cannot meet its Section 3 requirement in Tier I and needs to move to Tier II or Tier III, that Contractor must document this inability to comply with the preference and the need to move to a lower tier. (Such inability **must** be documented for moves within tiers). The Contractor agrees to meet its Section 3 requirement following the Preferential Tier Structure as indicated by the selection below (check one or more tiers below):

Tier I – HIRING

The Contractor affirms that the jobs identified shall be for meaningful employment that may or may not be related to the scope of services covered under Contract/Purchase Order # _____. The Contractor has committed to employ _____ resident(s) to comply with its Section 3 requirements. A prime contractor may satisfy the DSHA Resident Hiring Requirements through his/her subcontractors. **Contact the DSHA Resident Employment/Section 3 Program for resident referrals at 412-643-2761, Ext 2761.**

When Tier I is selected, the Contractor shall complete the following table as instructed below:

- (1) Indicate each job title for all phases of this contract
- (2) The number of positions that will be needed in each category
- (3) How many of those positions are currently filled



DELAWARE STATE HOUSING AUTHORITY

RFP# DSHA_25_HM01 PBV SUB REHAB & NEW CONSTR

- (4) The number currently filled by low and very low-income DSHA residents
- (5) The number currently filled by area residents
- (6) How many positions need to be filled

Indicate your requirement for the number of positions you intend to fill with:

- (7) Low income DSHA Residents (LIPH) and/or
- (8) Low and very low-income Area Residents (ARLIS)



DELAWARE STATE HOUSING AUTHORITY
SECTION 3 OPPORTUNITIES PLAN

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Section 3 Labor Utilization Assessment and Plan							
SPEC or RFP TITLE:				SPEC or RFP NUMBER:			
JOB TITLE (1)	NUMBER OF POSITIONS					HIRING REQUIREMENT	
	# NEEDED (2)	CURRENTLY FILLED			TO BE FILLED (6)	LIPH (7)	ARLIS (8)
TOTAL (3)		LIPH (4)	ARLIS (5)				

LIPH – DSHA low-income public housing resident
ARLIS - Area Residents of Low/Very Low-Income Status

In the event the value of Section 3 resident hiring is less than the amount identified in the Resident Hiring Scale, vendors must contribute to the DSHA Education Fund an amount not less than the difference between the value of Section 3 hiring and the amount identified in the Resident Hiring Scale, which funds shall be used to provide other economic opportunities. Therefore, if it is anticipated that any position listed above shall be for less than the full term of the contract period, you must indicate on the lines below, the anticipated term for each position:



SECTION 3 OPPORTUNITIES PLAN

Tier II – CONTRACTING

The contractor has identified _____ DSHA resident-owned business(es) or ____ Section 3 business(es) which is/are 51 percent or more owned by low-or very low-income persons or Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers. This will satisfy the contractor’s Section 3 requirement covered under Contract/Purchase Order # _____.

In a one (1) page letter on your firm’s letterhead:

- 1) Indicate the requirements, expressed in terms of percentage, of planned contracting dollars for the use of Section 3 business concerns as subcontractors.
- 2) A statement of the total dollar amount to be contracted, total dollar amount to be contracted to Section 3 business concerns for building trades and total dollar amount to be contracted to Section 3 business concerns for other than building trades work (maintenance, repair, modernization, and development).
- 3) A description of the method used to develop the requirements above and the efforts to be undertaken by the contractor to meet those requirements.

Tier III - OTHER ECONOMIC OPPORTUNITIES

Firms may provide other economic opportunities to train and employ Section 3 residents or make a direct cash contribution to the DSHA Education Fund. DSHA has established the following minimum threshold requirements for provision of training or contribution to the DSHA fund that provides other economic opportunities:

- a) Contractor incurs the cost of providing skilled training for residents in an amount commensurate with the sliding scale set forth in the Resident Hiring Scale; or,
 - b) Contractor contributes to the DSHA Education Fund at Clean Slate E3 to provide assistance to residents to obtain training. The level of contribution would be commensurate with the sliding scale set forth in the Resident Hiring Scale.
Contractor shall provide, in a letter on firm letterhead:
 - 1) Indication of the skilled training to be provided, the number of persons to be trained, the training provider, the cost of training, and the trainee recruitment plan; or,
 - 2) Provide the amount of planned contribution to be made in relation to percentage of the contract labor hour’s costs. (Contribution checks should be made payable to: **Clean Slate**
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DELAWARE STATE HOUSING AUTHORITY

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**E3 Education Fund and mailed to Clean Slate E3, C/O Delaware State Housing Authority,
Housing Finance Office, 820 N. French St, Wilmington, DE 19801.**

Tier IV – No New Hire Opportunity

If awarded this contract, the contractor will be able to fulfill the requirements of the IFB/RFP/RFQ with the existing work force. No new hires will be employed because of this award. If this position changes and hiring opportunities become necessary, the DSHA Resident Employment Program will be notified.



DELAWARE STATE HOUSING AUTHORITY

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SECTION 3 OPPORTUNITIES PLAN

By signing below, the Contractor hereby agrees to comply with the selected Section 3 requirements indicated above. To the extent that the completion of this form is contingent upon future information, for example price negotiations, request for specific services, etc., the undersigned hereby affirms and agrees to fully adhere to the spirit and intent of the DSHA Section 3 Policy.

Furthermore, the undersigned acknowledges and affirms responsibility for completion and submission of this form as part of the response documentation for this Invitation for Bid or Request for Proposal. Failure to submit this form may jeopardize the responsiveness of your submission.

Company Name: _____

Name: _____

Title: _____

Signature: _____ Date: _____

Witness Name: _____

Witness Signature: _____ Date: _____