

# REQUEST FOR APPLICATIONS

## HOUSING PRESERVATION FUND – FUND MANAGER

**Release Date:** Monday, November 13, 2017

**Grant Orientation:** Please refer to the DHCD website: [www.dhcd.dc.gov](http://www.dhcd.dc.gov)

**Submission Deadline:** Original–December 11, 2017 at 4 p.m. EST  
*Now Extended to December 18, 2017 at 4 p.m. EST*

Brian Kenner  
Deputy Mayor for Planning and Economic Development

Polly Donaldson, Director  
DC Department of Housing and Community Development  
1800 Martin Luther King Jr. Avenue SE | Washington, DC 20020



## **REQUEST FOR APPLICATIONS HOUSING PRESERVATION FUND—FUND MANAGER**

**Submission Details:** Electronic submissions only.

**Availability:** Download the application from the DC Department of Housing and Community Development's (DHCD's) website at [www.dhcd.dc.gov](http://www.dhcd.dc.gov).

**Informational Session:** November 17, 2017. Interested parties should respond to <mailto:Preservationfund.RFA@dc.gov> with the subject line "November 17 Information Session" in order to be certain of receiving further meeting information.

DHCD pledges to foster the letter and spirit of the law for achieving equal housing opportunity in the District of Columbia.

**LATE APPLICATIONS WILL NOT BE FORWARDED TO THE REVIEW PANEL**

**POINT OF CONTACT**

Danilo Pelletiere, DHCD

Phone: (202) 442-5681

E-mail: [preservationfund.RFA@dc.gov](mailto:preservationfund.RFA@dc.gov)

## Checklist for Applications: Housing Preservation Fund—Fund Manager

Verify that the application form and attachments conform to all instructions.

DHCD will not forward unresponsive applications to the review panel.

- The application is prepared on 8 1/2 by 11-inch page format, using 11- or 12-point type.
- The application is submitted electronically on thumbdrive to DHCD, 1800 Martin Luther King, Jr. Avenue SE, Office of the Director, c/o Danilo Pelletiere, Washington, DC 20020 and/or email at preservationfundRFA@dc.gov.  
**No paper copies will be accepted.**
- The electronic application includes only the requested attachments (listed below):
  - Narrative on Preservation Fund Structure, Management, Leveraging of Resources and Terms
    - Housing Preservation Fund Summary, Structure and Management
    - DC Housing Preservation Impact and Plans for Expansion and Growth
    - Fund Manager and Business Experience
    - Financial Viability
    - Fundraising and Leverage
  - The following attachments
    - Attachment A** Organizational documents (for example, Articles of Incorporation and Bylaws , as applicable
    - Attachment B** Organizational chart
    - Attachment C** Board resumes
    - Attachment D** Staff resumes
    - Attachment E** Tax-exempt status determination letter, as applicable
    - Attachment F** Certificate of Good Standing from DCRA (current to within six months)
    - Attachment G** Financial statements and reports for the last two years as applicable
    - Attachment H** Conflict of Interest Policy and Statements
    - Attachment I** Debarment Affidavit

## Table of Contents

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Section 1: General Information.....	1
Introduction.....	1
Purpose of Request for Application (RFA).....	2
Overview of the Housing Preservation Fund.....	2
Fund Terms and Structure.....	3
Loan Terms and Conditions .....	3
Eligible Activities.....	4
Eligible Projects.....	4
Award Period.....	4
Award and Amounts.....	5
Section 2: Applicant Qualifications.....	6
Eligible Organizations.....	6
Organizational Capacity .....	6
Governing Body Membership.....	6
Partnerships.....	6
Experience-based Evidence of Performance .....	7
Threshold Applicant Requirements.....	7
Section 3: Housing Preservation Fund Manager Role and Qualifications.....	9
Role of Housing Preservation Fund Manager.....	9
Housing Preservation Fund Manager Qualifications .....	10
Section 4: Application Review Process.....	12
Application Review .....	12
Scoring Criteria.....	12
Award Decisions .....	14
General Compliance.....	15
Post-Selection .....	15
Contact Person .....	16
Section 5: Application Instructions.....	17
Format.....	17
Contact Information for RFA Applicants .....	17
Explanations to Prospective Applicants.....	18

Informational Session ..... 18  
Required Attachments ..... 18  
Section 6: Application Submission..... 20  
Application Submission Date and Time..... 20  
Notice of Non-Discrimination..... 20

**ATTACHMENTS to this RFA:**  
**Attachment 1 Debarment Affidavit.**

## Section 1: General Information

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### Introduction

The District of Columbia Department of Housing and Community Development (DHCD or “the Department”) through its Office of the Director is seeking a Fund Manager for DHCD’s newly established Housing Preservation Fund. The Preservation Fund is one of six recommendations/action items provided in the DC Housing Preservation Strike Force final report, November 2016: <https://dhcd.dc.gov/service/dc-housing-preservation-strike-force>.

The DC Housing Preservation Strike Force was created in 2015 by Mayor Muriel E. Bowser. It was an 18-member team, chaired by DHCD Director Polly Donaldson, and comprised of District housing experts and selected stakeholders from the public.

Creating new affordable housing in the District is a top priority, but so too is preserving and protecting the current affordable housing stock, which has been at risk due to:

- the city losing at least 1,000 units of subsidized housing between 2006 and 2014;
- another 1,750 units that are at risk of being lost, according to the DC Preservation Network; and
- an additional 13,700 units with subsidies that will expire by 2020 and are possibly at risk of loss.

To remedy this problem, the Mayor charged the Strike Force with developing an action plan to preserve the District’s existing affordable housing covenants set to expire by 2020.

For several months, the Strike Force assessed the current tools available to the District for the preservation of its affordable housing stock. The Strike Force presented six initial recommendations to Mayor Bowser in June 2016 during the 9th Annual DC Housing Expo and Home Show: (1) establishing a preservation unit; (2) creating a public-private preservation fund; (3) expanding resources to preserve small properties; (4) adopting regulations for the District Opportunity to Purchase Act (DOPA); (5) advancing preservation through the Tenant Opportunity to Purchase Act (TOPA); and (6) enhancing programs to allow low income seniors to age in place.

Mayor Bowser released the final 28-page report in November 2016. The report detailed a proactive, multi-pronged strategy for the District to use in preserving its existing supply of affordable housing by 2020.

### **Purpose of Request for Application (RFA)**

The purpose of this Request for Applications (RFA) is to solicit applications from fund managers capable of structuring, administering, funding and managing a public-private fund in Washington, D.C. to receive and leverage the available Preservation Fund resources of the District and use them to increase the preservation of affordable housing in Washington, DC.

### **Overview of the Housing Preservation Fund**

The goal of the Housing Preservation Fund is to aid in achieving the policy objective of the DC Housing Preservation Strike Force: “Preserving the affordability of 100% of its existing federally and city-assisted affordable rental homes.”

As recommended by the Strike Force, Mayor Bowser invested \$10 million in local funds for the Housing Preservation Fund within DHCD’s FY18 Budget, and the City Council approved the \$10 million local fund allocation. In addition, Mayor Bowser created the Housing Preservation Fund in the B22-O244 - Fiscal Year 2018 Budget Support Act of 2017 and the City Council approved the creation of the Preservation Fund in the final act: <http://lims.dccouncil.us/Legislation/B22-O244?FromSearchResults=true>.

#### **SUBTITLE D. HOUSING PRESERVATION FUND ESTABLISHMENT, Per B22-0244 - Fiscal Year 2018 Budget Support Act of 2017**

Sec. 2031. Short title.

This subtitle may be cited as the “Housing Preservation Fund Establishment Act of 2017”.

Sec. 2032. Housing Preservation Fund.

(a) There is established as a special fund the Housing Preservation Fund (“Fund”), which shall be administered by the Department of Housing and Community Development in accordance with subsections (c) and (d) of this section.

(b) In Fiscal Year 2018, \$10 million from local appropriations shall be deposited into the Fund.

(c) Money in the Fund shall be used to provide debt or equity to finance housing preservation activities, including acquisition bridge loans, predevelopment expenses, environmental remediation, critical repairs, and other activities necessary to preserve the affordability of housing units; provided, that for any property benefited by an expenditure of funds pursuant to this subsection, a

covenant shall be recorded with respect to affordability, the terms and conditions of which shall be determined by the Mayor.

(d) Money in the Fund shall not be used to provide debt or equity to finance housing preservation activities involving any property identified in section 2(a) of the Historic Preservation of Derelict District Properties Act of 2016, effective March 11, 2017 (D.C. Law 21-223; 64 DCR 182).

(e)(1) The money deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

### **Fund Terms and Structure**

It is anticipated that the new Housing Preservation Fund will have structure similar to the terms outlined below, subject to change.

- Allow the District funds to be used on a revolving basis or as an enduring guarantee for new loans to new projects as loans are repaid.
- Fund Manager will blend District funds with other private or philanthropic resources to provide loans that cumulatively achieve with a minimum overall (District portfolio-wide) 3:1 private-to-public leverage ratio.

### **Loan Terms and Conditions**

It is anticipated that the Housing Preservation Fund will make loans that have terms and conditions similar to those outlined below, which are subject to change in response to the proposals received.

- Up to three-year terms, possible extensions (no longer than four years)
- Maximum amount available per project: \$20 million in total funds
- Pricing: Competitive with market, and accounting for lower cost of District funds
- 125% of the lesser of a property's as-is appraised value or purchase price
- Collateral: 1st or 2nd Deed of Trust
- Affordability Covenants
  - At least 50% of units are affordable at 80% of the Average Median Income (AMI) or below.
  - Affordability Period: Minimum of 10 years with the assumption that in most cases permanent financing will require additional years of affordability.
  - Affordability Covenant is not released when loan is repaid if repayment occurs prior to expiration of the affordability covenant term.



- Nontrivial financial penalties such as higher repayment costs if a Preservation Fund funded project does not meet the objectives of the Housing Preservation Fund.

### **Eligible Activities**

It is anticipated that the new Housing Preservation Fund will finance activities similar to the activities outlined below, subject to change.

- Acquisition of existing, occupied multi-family housing in which at least 50% of units are currently affordable to Low Income Households (earning up to 80% AMI).
  - It is not necessary that the properties have an existing affordability covenant or project-based rental assistance contract.
- Predevelopment costs
  - Earnest money deposit
  - Due diligence and third-party assessments (architectural, environmental, title, etc.)
- Environmental remediation
- Critical repairs
- It is also anticipated that the new Housing Preservation Fund will not to be used:
  - for DC owned properties or DOPA
  - as equity in a project

### **Eligible Projects**

The properties eligible for Preservation Fund investment are anticipated to be:

- occupied multi-family housing (not fewer than five units):
  - in which at least 50% of units are currently affordable to Low Income Households (earning up to 80% AMI); which
  - are located entirely within the District of Columbia.

### **Award Period**

Approved fund managers should be ready to start during the first quarter of FY 2018. Activity work plans and budgets will be approved through September 30, 2018, subject to the availability of funds. DHCD intends to obligate and expend all funds necessary for the award period from FY 2018 funds.

**Award and Amounts**

DHCD will evaluate each applicant's work plan and budget for adequate fiscal capability to manage the Preservation Fund as described below. There is no prescribed award amount for any service, or for any specific grant.

## **Section 2: Applicant Qualifications**

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### **Eligible Organizations**

Applications are requested from qualified for-profit and non-profit organizations that have a significant history of serving the affordable housing finance needs in the District of Columbia or nationally, in addition to their desire to serve the residents of the District of Columbia. DHCD encourages responses from applicants that reflect the concerns of the diverse populations and cultures found throughout the District of Columbia's communities.

### **Organizational Capacity**

A successful applicant has the staff and/or board resources available to plan, market, develop, and administer a Housing Preservation Fund or fund similar to the one proposed in the District of Columbia. The applicant's overall administrative capacity as it relates to all requirements of fund management will be closely examined. Applicants will be evaluated based on financial stability, management capacity, community support, staff qualifications, ability to track and report results, and demonstrated understanding of all issues involved in performing all activities necessary to successfully administer a public private fund.

### **Governing Body Membership**

A successful applicant will demonstrate that its board or other governing body:

- is broadly representative of the Washington, DC or national affordable housing stakeholders
- possesses skills and/or experience related to housing preservation, community development, and/or neighborhood revitalization; and
- possesses the fund management, legal, business administration, and management skills required to oversee a significant activity in partnership with the District government.

### **Partnerships**

A successful applicant has the demonstrated capacity to raise resources from financial and other private and public entities. Therefore, demonstrated working relationships with banks and other lenders, law firms, accounting firms, technical assistance providers, federal government agencies, foundations, and non-profits, etc. are an essential qualification for grant recipients.

### **Experience-based Evidence of Performance**

A successful applicant must demonstrate an understanding of the complex social and economic factors affecting their communities, provide evidence of previous accomplishments, and reveal how their efforts will effect measurable positive change. Fund Managers must be able to demonstrate how they created and managed successful public-private funds in the District of Columbia or other jurisdictions.

### **Threshold Applicant Requirements**

In addition to demonstrating capacity to carry out activities, a successful applicant must meet the following eligibility requirements:

- The applicant can be a for-profit corporation or a non-profit/tax-exempt corporation, so designated by the Internal Revenue Service.
- The applicant must be validly organized as a for profit corporation or non-profit organization authorized to do business in the District of Columbia as certified by the DC Department of Consumer and Regulatory Affairs (DCRA). The applicant must provide a Certificate of Good Standing issued by DCRA that is current to within 60 days.
- The applicant must be in good standing in the District of Columbia and must be current on all obligations to the District and Federal governments (that is, DC, Federal and local taxes, and outstanding loans). DHCD staff will make this determination during the due diligence phase by requesting DOES and OTR tax clearances, a Clean Hands Certificate, and by reviewing the applicant's track record on other District Government loans, agreements, projects, or initiatives.
- The applicant must have written conflict of interest policies and procedures governing employees and board members in regard to the award and administration of contracts and other financial interests and benefits. These procedures must include a requirement for the retention of conflict of interest declarations executed by each employee and board member.
- The applicant must sign and submit a Contract Affidavit certifying that they are not debarred from participation in any federal program nor have any unresolved default or noncompliance issues with the District of Columbia.
- *Nondiscrimination in the Delivery of Services.* The applicant must comply with federal and local laws that prohibit discrimination in the delivery of program and services, including, but not limited to, the following laws and regulations:
  1. Fair Housing Act (FHA, Title VIII of the Civil Rights Act of 1968): The FHA prohibits a broad range of practices that discriminate against individuals based on color, disability, familial status, national origin, race, religion, or sex (collectively, "status") to ensure equal access to housing opportunities.

Under the FHA, it is unlawful for direct providers of housing, such as landlords and real estate companies, as well as other entities, such as municipalities, banks, and homeowners' insurance companies, to discriminate in the sale or rental of, or otherwise make unavailable or deny, a public or privately-owned dwelling because of the status of the renter or buyer.

2. D.C. Human Rights Act of 1977, as amended, D.C. Official Code Section 2-1401.01 et seq.: Prohibits discrimination in housing based on actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, disability, matriculation, political affiliation, source of income, status as a victim of an intrafamily offense, or place of residence or business of any individual.
3. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.): Prohibits discrimination based on race, color or national origin in programs and activities receiving federal financial assistance.
4. Section 109 of Title I of the Housing and Community Development Act of 1974 (24 CFR Part 6): No person based on race, color, national origin, sex or religion, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with community development funds.
5. The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107): Prohibits discrimination based on age in programs or activities receiving federal financial assistance.
6. All federal and local laws and regulations that offer consumer protections from prohibited lending practices and mortgage foreclosure procedures.

## **Section 3: Housing Preservation Fund Manager Role and Qualifications**

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### **Role of Housing Preservation Fund Manager**

DHCD will invest funds through a grant to a Fund Manager to leverage the Fund Manager's own housing preservation lending activities. DHCD intends to select one or more Fund Managers. Each Fund Manager would:

- Enter into a Master Housing Preservation Grant Agreement with DCHD. DHCD will provide District funds to the Fund Manager at 0 percent interest, to be used for the purposes described herein and agreed to in the Master Loan Agreement.
- Use the proceeds of the Master Housing Preservation Fund Grant together with its own monies or other private and philanthropic investments to make quick-closing Preservation Fund sub-loans to borrowers for eligible activities at eligible projects.
  - The District targets a minimum overall 3:1 private-to-District-funding ratio for the Preservation Fund.
    - This is for the fund itself; individual sub-loans may have a lower leverage ratio for District Funds, so long as the overall portfolio of loans originated in a given Fiscal Year meet the minimum 3:1 leverage requirement.
  - The District views the grant as an investment in the Housing Preservation Fund and in the preservation of affordable housing in the District of Columbia and accepts that all or a portion of the grant may be subject to losses where the District funds are placed at risk in keeping with the mission and the agreed upon terms of the grant.
  - The District expects the immediate use of its funds for the purposes of preserving affordable housing in the District of Columbia and may request and receive the return of any and all unused funds on or after August 30, 2018 or six months after the District Funds are transferred to the Fund Manager, whichever comes later.
- Market, underwrite, originate and service the preservation loans, including sharing of risk with the District.
  - Perform delegated underwriting of each loan for funding by the Preservation Fund.
  - Work with the District to prepare an affordability covenant to be recorded against the property for each project funded as part of the Preservation Fund.
- Enable borrowers to use the Housing Preservation Fund for short term (three to four years) bridge acquisition and predevelopment financing as they apply for

and secure long-term permanent financing from other private lenders and public agencies.

- As projects obtain construction and permanent financing, receive repayment of housing preservation loans and recycle the repaid or otherwise no longer used District funds to make new loans to other eligible projects.
- Confirm compliance with the terms of the Housing Preservation Fund loan at the time of repayment and assess, negotiate, and collect any required penalties from the borrower.
- Alert DHCD of repayments and the characteristics of the project relevant to the ongoing compliance period.
- Enter into a Data Sharing Agreement between DHCD and the Fund Manager to provide seamless and efficient funding of projects under the Preservation Fund and potentially other DC funding sources.
- Report quarterly to DHCD on the use of the Housing Preservation Program funds under the Initiative.
- Identify and brand specific investments as “District of Columbia Preservation Fund” projects.
- Consider local concerns and development plans in the funding decisions of the Preservation Fund and provide a means for the District to inform lending decisions.

### **Housing Preservation Fund Manager Qualifications**

To participate as a Fund Manager, the participating organization must:

1. Demonstrate a substantial record of affordable housing and community development lending nationally and/or in the District of Columbia during the last five years.
2. Have a strong record of success in its lending activities, evidenced by a high rate of loan repayment by developers, timely repayment and completion of funded projects, and a low rate of defaults and foreclosures.
3. Have on-hand private funds to invest in the Preservation Fund or the solid commitment of funds with which to create the Preservation Fund should they be awarded.
  - This may include establishing the Preservation Fund with District’s funds within an existing fund with a track record of investing in the preservation of affordable housing,
4. Be ready to proceed immediately with implementation of the Preservation Fund.

5. Demonstrate a substantial record of providing technical assistance and pre-development loans to developers.



## Section 4: Application Review Process

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### Application Review

The application review process is as follows:

- Applications are initially pre-screened for completeness and compliance by the DHCD screening panel.
- Approved applications will be reviewed by an internal review panel including up to three external members that will submit scoring, ranking and comments to DHCD leadership.
- DHCD leadership will submit recommendations to the DHCD Director for final approval after taking into consideration the independent review panel's recommendations.
- Based on the review panel recommendations, the Mayor's budget priorities, the resources available, and the goal of achieving a balance as to communities served and the goals of the program, DHCD will make the final grant award decisions.

### Scoring Criteria

Applications will be evaluated based on the following criteria outlined below. Applicant must provide a written narrative responding to these questions and prompts, demonstrating how the organization plans to successfully implement and administer the program.

Applications will be evaluated based on the following criteria outlined below. Applicant must provide a written narrative responding to these questions and prompts, demonstrating how the organization plans to successfully implement and administer the program.

- **Housing Preservation Fund Summary, Structure and Management (10%)**
  - Provide narrative summary of the proposed Housing Preservation Fund.
    - Describe how the fund will be structured and managed to meet the goals articulated by the Housing Preservation Strike Force.
  - Provide the anticipated structure of the Preservation Fund.
    - State the proposed loan terms that would be offered to borrowers, such as the loan term, payment schedule, and expected interest rate to the borrower. Specifically, identify the interest rate spread at which you propose to lend funds in the Housing Preservation Fund as a component of the blended rate to be offered for Program loans under the Initiative, and the

interest rate to borrower that would result. Describe the assumptions that you use to arrive at this proposed spread, and the variables that would increase or decrease the spread.

- List and describe your requirements regarding borrower capacity, both in terms of financial capacity and development experience.
  - Describe the types of projects that could be funded under your proposal. Describe how the proposed fund could be used to address the following scenarios:
    - A Tenant Association seeking to exercise its TOPA rights and acquire their building under a Limited Equity Cooperative ownership structure.
    - Acquisition of a deed-restricted affordable housing property with an expiring covenant or subsidy in a sub-market where the appraised market value is substantially higher than the property's restricted value (that is, the value of the property if the covenant is extended).
    - Describe other common situations that you would expect to provide acquisition loans to address.
  - Provide copies of your standard loan documents or examples of documents you expect to employ (loan agreement, promissory note, deed of trust, and any other documents executed by borrower at or before loan closing).
  - Provide a summary of the management team for the Preservation Fund, including resumes of all professional staff who you anticipate will be working on the Preservation Fund.
- **Fund Manager and Business Experience (25%)**
    - Describe affordable housing and community development lending you have closed nationally within the past three years, and within the District of Columbia. For each loan, identify:
      - Borrower
      - Brief project description (for example, type of housing, number of units, number of affordable units, location)
      - Loan terms: purpose of loan, repayment term and source, interest rate, interest payment terms, collateral/security
      - Loan status: outstanding, repaid in full, written off, borrower compliant or non-compliant with loan terms, etc.

- Summarize information about the aggregate loan portfolio, identifying activity within the District of Columbia where possible, including:
  - Geographic area served
  - Total loans made (amount and number)
  - Total loans repaid in full (amount and number)
  - Total loans written off (amount and number)
  - Loans currently outstanding : compliant/non-compliant
  
- **Financial Viability (25%)**
  - Provide a narrative and attach relevant recent audited financial statements and reports to document the applicants' current financial wherewithal and track record of financial health.
  
- **Fundraising and Leverage (25%)**
  - What additional sources of funding do you intend to blend with District resources to achieve the 3:1 leverage requirement? Identify sources of current or expected funds and the investment expectations of each.
  
- **DC Housing Preservation Impact and Plans for Expansion and Growth (15%)**
  - Describe how the proposal will maximize achievement of the preservation outcomes sought in the Preservation Strike Force recommendations report.
  - Indicate how the lending activity accomplished by your fund will be new to the District and make a contribution to housing preservation over and above current housing preservation activity.
  - In general terms, what do you anticipate the demand to be for Preservation Fund, including types and scale of projects, locations, and level of borrower experience?
  - The number and aggregate amount of projects you expect to be able to originate in the first year, second year and third year.
  - Explain the approach your organization would use to grow the fund, if additional public dollars were available in future fiscal years.
  - In addition, discuss how the Preservation Fund activities are included in your organization's business growth.

### **Award Decisions**

The recommendations of the review panel are advisory only and are not binding on the DHCD. The final decision on awards vests solely with DHCD.

After reviewing the recommendations of the review panel and any other information considered relevant, the Agency Director will determine the award funds to the Fund Manager.

**General Compliance**

Each applicant must certify that the project is, and will be, in compliance with all applicable federal and local rules and regulations by completing the Monitoring Certification Form. Applicants receiving financial assistance from DHCD could be subject to any and all of the following laws and regulations listed in the table below:

<ul style="list-style-type: none"> <li>• Housing Production Trust Fund – D.C. Code § 42-28; <u>DCMR 10-B41</u></li> <li>• Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – 2 CFR part 200</li> <li>• Environmental Reviews – 24 CFR Pt 85</li> <li>• Certified Business Enterprise Agreement</li> <li>• Age Discrimination Act of 1975– 24 CRF Part 146</li> <li>• Affirmative Action Plan – Mayor’s Order 85-85</li> <li>• Non-procurement Debarment – 2 CFR Part 2424</li> <li>• Anti-lobbying Restrictions – 24 CFR Part 87</li> <li>• D.C. Notice on Non-Discrimination – D.C. Official Code §§ 2-1401.1 <i>et seq.</i></li> <li>• Section 3 – 24 CFR Part 135</li> <li>• The Rental Housing Conversion and Sale Act of 1980 (D.C. Law 3-86)</li> <li>• The Rental Housing Act of 1985</li> </ul>	<ul style="list-style-type: none"> <li>• First Source Program. D.C. Official Code §§2-219.01 <i>et seq.</i></li> <li>• Americans with Disabilities Act of 1990 – 42 USC 2181 <i>et seq.</i></li> <li>• Lead Safe Housing Rule (Lead Based Paint) – 24 CFR Part 35</li> <li>• Section 504 of Rehabilitation Act of 1973, as amended -- 24 CFR Part 8</li> <li>• Freedom of Information Act – D.C. Official Code §2-531 <i>et seq.</i></li> <li>• Davis Bacon and related Acts – 40 USC §§276a-276a-5 and 42-USC 5310 – 42 USC 327 <i>et seq.</i></li> <li>• Conflict of Interest -- 24 CFR § 570.611; 24 CFR §§ 85.42 and 85.36</li> <li>• Fair Housing – 24 CFR Part 107; 24 CFR Part 100</li> <li>• Hatch Act – 5 USC Chapter 15</li> <li>• LIHTC – §42 of IRS Code of 1986</li> <li>• National Environmental Policy Act (NEPA) of 1969 – 24 CFR Part 58</li> <li>• Drug Free Workplace – 24 CFR Part 21</li> </ul>
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**Post-Selection**

Each applicant whose application is approved for funding will be required to enter into a grant agreement with DHCD for implementation of the funded activity.

Before executing the grant agreement, the successful applicant will meet with DHCD staff to negotiate the specific activities that will be conducted under the grant agreement so that the applicant's mission, community needs, and District Government priorities are addressed. Applicants approved for funding will be submitted to DHCD's Office of Program Monitoring (OPM) for thorough review against all program compliance criteria before grant execution. Upon execution of the agreement, which is anticipated to be during the second quarter of FY 2018, the organization will receive the first scheduled fund disbursement, full amount under the grant agreement, up to \$10 million.

In accordance with District requirements, DHCD will conduct periodic evaluations of the Fund Manager's use of the local funds. The areas of review will include financial management, regulatory compliance, and program performance. The reviews also may include scheduled or unscheduled site visits. Accordingly, each selected lender will be required to make available to DHCD all information and records necessary for the completion of its evaluation.

**Contact Person**

Danilo Pelletiere

Office of the Director

Department of Housing and Community Development

1800 Martin Luther King Jr. Avenue SE

Washington, DC 20020

(202) 442-5681

[preservationfund.RFA@dc.gov](mailto:preservationfund.RFA@dc.gov)

## Section 5: Application Instructions

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### Format

- The application is submitted electronically on a USB drive (thumb drive/flashdrive) to DHCD, 1800 Martin Luther King, Jr. Avenue SE, Office of the Director, c/o Danilo Pelletiere, Washington, DC 20020 and/or email at preservationfundRFA@dc.gov. No paper copies will be accepted.
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### Contact Information for RFA Applicants

Applicants who obtained this RFA through the Internet are asked to provide the Office of the Director with the following:

- Name of organization
- Key contact
- Mailing address
- Telephone and fax numbers

This information is requested so that the applicant can receive updates and/or addenda to the RFA.

### Explanations to Prospective Applicants

Applicants are encouraged to e-mail their questions to the address listed above on or before December 4, 2017. Questions submitted after the deadline date will not receive responses. Please allow ample time for mail to be received before the deadline date.

### Informational Session

An Informational Session will be held on November 17, 2017. Interested parties should respond to [preservationfundRFA@dc.gov](mailto:preservationfundRFA@dc.gov) with the subject line "November 17 Information Session" in order to be certain of receiving further meeting information.

### Required Attachments

The following attachments to the completed form are required:

<input type="checkbox"/> Attachment A	Organizational documents, for example, Articles of Incorporation and Bylaws , as applicable
<input type="checkbox"/> Attachment B	Organizational chart
<input type="checkbox"/> Attachment C	Board or governing body resumes
<input type="checkbox"/> Attachment D	Staff resumes
<input type="checkbox"/> Attachment E	Tax-exempt status determination letter as applicable
<input type="checkbox"/> Attachment F	Certificate of Good Standing from DCRA (current within six months)
<input type="checkbox"/> Attachment G	Financial statements and reports
<input type="checkbox"/> Attachment H	Conflict of Interest Policy and Statements
<input type="checkbox"/> Attachment I	Debarment Affidavit

Applicants may obtain the Certificate of Good Standing on a walk-in basis at the Department of Consumer and Regulatory Affairs, located at 1100 4th Street, SW, Washington, DC 20024 ([dcra@dc.gov](mailto:dcra@dc.gov));

The certificate may be requested by mail from:

**Department of Consumer and Regulatory Affairs  
Corporations Division  
P.O. Box 92300  
Washington, DC 20090**

The certificate may be obtained online at the DCRA's Corporations Division CorpOnline Web Portal:

<https://corponline.dcrd.dc.gov/Account.aspx/LogOn?ReturnUrl=%2f>

For additional information, contact the Corporations Division at (202) 442-4400 and <https://dcrd.dc.gov/service/corporate-registration>.



## **Section 6: Application Submission**

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### **Application Submission Date and Time**

Applications are due no later than **December 11, 2017**. All applications will be recorded upon receipt. **Applications submitted at or after 4:01 p.m., December 11, 2017, will not be forwarded to the review panel.** Any additions or deletions to an application will not be accepted after the deadline.

The application is submitted electronically on a USB flash drive (thumb drive/flash drive) to DHCD, 1800 Martin Luther King, Jr. Avenue SE, Office of the Director, c/o Danilo Pelletiere, Washington, DC 20020 and/or via email at [preservationfundRFA@dc.gov](mailto:preservationfundRFA@dc.gov).

**No paper copies will be accepted. FAX submissions will not be accepted.**

**DHCD is not responsible for unreadable, incomplete, and/or out of order submissions.**

**\*\*\*Late Applications Will Not Be Forwarded To the Review Panel\*\*\***

### **Notice of Non-Discrimination**

In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code Section 2-1401.01 *et seq.* (Act), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

# ATTACHMENT 1: DEBARMENT AFFIDAVIT

## Authorized Representative

I HEREBY AFFIRM THAT I am the \_\_\_\_\_  
[Title of Representative] and the duly authorized representative of \_\_\_\_\_  
\_\_\_\_\_ [Name of Organization] and that I possess the legal  
authority to make this Affidavit on behalf of myself and the organization for which I am  
acting.

## Certification of Corporation Registration and Tax Payment

I FURTHER AFFIRM THAT the organization named above is a [Domestic or Foreign]  
corporation duly registered in accordance with the laws of the District of Columbia and is  
in good standing. The name and address of its resident agent is:

\_\_\_\_\_ [Name of Organization]  
\_\_\_\_\_ [Address of Organization]  
[if not a corporation, state so] \_\_\_\_\_

I FURTHER AFFIRM THAT, except as validly contested, the organization has paid, or will  
have paid all income and withholding taxes due to the District of Columbia prior to  
execution of any funding agreement.

## Affirmation Regarding Bribery Convictions

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I  
nor the above organization, or any of its officers, directors, partners, or any of its  
employees directly involved in obtaining or performing contracts with public bodies has  
been convicted of, or has had probation before judgment imposed, or has pleaded nolo  
contender to a charge of bribery, attempted bribery, or conspiracy to bribe in violation of  
any District of Columbia or federal law.

## Affirmation Regarding Other Convictions

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I  
nor the above organization, or any of its officers, directors, partners, or any of its  
employees directly involved in obtaining or performing contracts with public bodies has  
been convicted of a criminal offense incident to obtaining, attempting to obtain, or  
performing a public or private contract, fraud, embezzlement, theft, forgery, falsification  
or destruction of records, or receiving stolen property; or admitted in writing or under  
oath, during the course of an official investigation or other proceeding, acts or omissions  
that would constitute grounds for conviction or liability under any law or statute described  
above.

## Affirmation Regarding Debarment

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I  
nor the above organization, or any of its officers, directors, partners, or any of its  
employees directly involved in obtaining or performing contracts with public bodies, has

ever been suspended or debarred (including being issued a limited denial of participation) by any public entity.

**Affirmation Regarding Debarment of Related Entities**

I FURTHER AFFIRM THAT (a) the organization was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment; and (b) the organization is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred organization.

**Subcontract Affirmation**

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, has knowingly entered into a contract with a public body under which a person debarred or suspended will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property, or construction.

**Acknowledgment**

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the District of Columbia Department of Housing and Community Development and may be distributed to units of (a) the District of Columbia government; (b) other states; and (c) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the District of Columbia, both criminal and civil, and that nothing in this Affidavit or any agreement resulting from the submission of this proposal shall be construed to supersede, amend, modify, or waive, on behalf of the District of Columbia, or any unit of the District of Columbia having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of the District of Columbia with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above organization with respect to (a) this Affidavit, (b) the contract, and (c) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

WITNESS

[NAME OF ORGANIZATION]

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Representative

\_\_\_\_\_  
Name of Witness                      Date

\_\_\_\_\_  
Name of Representative              Date

\_\_\_\_\_  
Title of Representative