



City of
Los Banos
At the Crossroads of California

REQUEST FOR PROPOSALS
FOR
Affordable Housing for People Experiencing Homelessness Project Developer/joint
applicant

Issuance Date
04/12/2024

Deadline for Submissions
04-26-2024 at 5:00 P.M.

Contact Person
Christy McCammond
Housing Program Manager

The City of Los Banos
520 J Street
Los Banos, CA 93635
(209) 827-7000 ext. 2441
christy.mccammond@losbanos.org

**REQUEST FOR
Development, Construction, Management, Maintenance, and Services for an
Affordable Housing Project Dedicated to People Experiencing Homelessness or
People at Risk of Homelessness at or Below 60% Average Median Income for
Merced County**

NOTICE IS HEREBY GIVEN that The City of Los Banos ("City") is issuing this Request for Proposals ("RFP").

The City is seeking qualified non-profit or for-profit candidate(s) that may cooperate with The City on an Affordable Housing project. Multiple awards may be granted to meet the requirements of this Solicitation

Joint applicants are solely responsible for ensuring proposals are received by the City on or before the submittal deadline. **Proposals must be received via mail or email no later than 5:00 p.m. on 04-26-2024** at the following address:

The City of Los Banos
Attn: Christy McCammond
Housing Program Manager
520 J Street
Los Banos, CA 93635
Email: christy.mccammond@losbanos.org

The proposal shall be signed by a representative authorized to bind the company. Proposals submitted by facsimile are not acceptable and will not be considered. The Proposer shall submit its proposal via email as a PDF attachment with the email subject line: **Affordable Housing Project Developer/joint applicant**. Verification of receipt of proposal is the responsibility of the submitting joint applicant. In the event that an electronic proposal cannot be submitted, the Proposer may submit a hard copy with the name of the joint applicant and RFP title: **Affordable Housing Project Developer/joint applicant** clearly marked on the outside of the package submitted by the deadline listed above. Late proposals will not be considered.

Failure to comply with the requirements set forth in this RFP may result in disqualification. Proposals and/or modifications received subsequent to the hour and date specified above will not be considered. Submitted proposals may be withdrawn at any time prior to the submission time specified in this RFP, provided notification is received in writing before the submittal deadline. Proposals cannot be changed or withdrawn after the submittal deadline. No handwritten notations or corrections will be allowed. The responding joint applicant is solely responsible for all costs related to the preparation of the proposal.

The City reserves the right to reject all proposals and to waive any minor informalities or irregularities contained in any proposal. Acceptance of any proposal submitted pursuant to this RFP shall not constitute any implied intent to enter into a contract.

Any future contract award resulting from the RFP, will be entered upon with the joint applicant who, in the City's sole discretion, is best able to perform the required services in a manner most beneficial to the City.

Please submit all inquiries to christy.mccammond@losbanos.org.

The Request for Proposals can be viewed and/or obtained from the City of Los Banos website at www.losbanos.org.

Acceptance of any proposal submitted pursuant to this Request for Proposals shall not constitute any implied intent to enter into an agreement for services.

I. INTRODUCTION

The City of Los Banos, incorporated in 1907, has an estimated population of approximately 47,347 residents and has a land area of approximately 10.1 square miles. Los Banos is located on the west side of the San Joaquin Valley, in the County of Merced, seven miles east of the junction of State Route 152 and Interstate 5.

The City of Los Banos is a general law city, which operates under the council/manager form of government.

The City is a “full service city” and provides a wide range of services. These services include: police and fire protection; animal control; code enforcement, water and sewer service, building safety regulation and inspection; street lighting; land use planning and zoning; housing and community development; maintenance and improvement of streets and related structures; traffic safety maintenance and improvement; and full range of recreational programs.

The City is seeking qualified proposers who may cooperate with the City of Los Banos on an Affordable Housing project. Final contracts are subject to be approved by the City Council. The deadline for receiving submissions is 5:00 p.m. 04-26-2024.

II. BACKGROUND OF PROJECT

The City currently reports one hundred and thirteen (113) People Experiencing Homelessness. Approximately seventy-eight (78) of these people are reported as unsheltered. Unhoused Community Members are dwelling on public property in tents, wooden structures, vehicles, and other places not meant for human habitation.

The City’s affordable housing stock is very low. There is an extremely competitive market for a small number of affordable units available. Unhoused People are not approved for rentals at the same rate as housed individuals and many times Unhoused People do not earn enough money to qualify for rentals in the area.

Permanent Supportive Housing dedicated to People Experiencing Homelessness is desperately needed.

III. PURPOSE

This RFP seeks to:

1. Identify qualified property developers, property managers, and service providers that meet experience requirements of the City.

2. Detail the needs of the City and of the State of California related to addressing homelessness through affordable housing.

IV. PROJECT DESCRIPTION

The City of Los Banos desires to create a “Tiny Home Village” on a City-Owned parcel. The City has applied for a variety of State of California grants such as “Encampment Resolution Fund (ERF)” and “Permanent Local Housing Allocation (PLHA)” (competitive and formulaic). If awarded, the City will develop at least fifteen (15), but potentially up to fifty (50) one (1)-bedroom modular permanent supportive “Tiny Homes” with services provided onsite for People Experiencing Homelessness as a priority and for those at-risk of homelessness if capacity allows after the primary objective of permanently housing those literally and chronically homeless. These rental units would be available to people earning up to or less than sixty percent (60%) of the Average Median Income for Merced County. The project would be subject to a fifty-five (55)-year deed restriction for affordable housing.

The entity or team selected through this RFP will be a joint applicant with the City for an Affordable Housing application. This RFP contains the information needed by all entities responding to this invitation and sets forth the process, submission requirements, and criteria the City will use when selecting a Joint applicant to develop and construct a property, as well as, operate, manage, and maintain, a property and provide resident and supportive services. The joint applicant will enter into a sales agreement for the proposed project site. The City of Los Banos and the joint applicant will enter into a Low-Interest, Deferred Payment Loan for the total cost of the property and project costs which is estimated to be \$5-\$7 million dollars. The loan for property and project costs is scheduled to be forgiven and deed transferred to joint applicant according the State of California Permanent Local Housing Allocations regulations and in accordance with Local, State, and Federal laws.

All submissions in response to this RFP will become the property of the City and will be considered public records. As such, they may be subject to public review.

The Owner/Operator will be fully, actively, and monetarily responsible for all property operations including maintaining a balanced budget and forward-looking projections; all property management activities including lease-up, Fair Housing and all other housing laws, working with City referral agencies, collection of rent, enforcement of house rules and tenant lease requirements, accounting, bookkeeping, and reporting as applicable; all maintenance and upkeep of the property; and provision of robust resident and supportive services appropriate for those who have experienced homelessness which shall include coordination with residents, service agencies, and contracted nonprofit service providers to ensure residents are provided access to the services they need to live independently at

the property with dignity and in compliance with tenant lease terms and the Owner/Operator's rules for residency.

The Owner/Operator will be expected to indemnify, defend, and hold the City harmless from and against any and all liabilities, losses, costs, claims, judgments, settlements, damages, liens, fines, penalties, and expenses.

V. AFFORDABLE HOUSING RFP PROCEDURE

1. The City issues the RFP with the response period ending on 04-26-2024 at 5:00pm.
2. During the response period, joint applicants certify qualifications and submit evidence of qualifications. Each joint applicant must be a previously formed team/partnership/ joint venture that is prepared to participate in applications processes for Affordable Housing funds.
3. City staff closes the RFP, reviews the submissions, and establishes a ranked order for the qualified joint applicant pool.
4. City staff selects joint applicant and project(s) to recommend to City Council for jointly submitting an application to the Affordable Housing program.
5. City and joint applicant produce any required Affordable Housing grant application exhibits for City review.
6. City Council approves resolutions authorizing selected joint applicants pursuant to State and City requirements, and allocating matching funds if needed and available. The City Council reserves the right, in its discretion, to approve or not approve any projects or funding requests.
7. City and approved joint applicant submit affordable housing grant applications
8. The State selects projects for Affordable Housing funding. State, City and selected project joint applicant enter into Standard Agreement for Affordable Housing funding.
9. The City and project joint applicant enter into Standard Agreement(s) with relevant agencies awarding funds. Additional deal documents reflecting the structure, such as financing documents and ownership/leasing agreements, are finalized for project commencement.

VI. EVALUATION CRITERIA AND RESPONSE SECTIONS

The following criteria shall be used by the Selection Panel to evaluate proposals.

In order to qualify as a joint applicant under this RFP, your organization, team or joint venture must address each item below and meet all qualifications listed below:

EXPERIENCE (30 points)

1. Provide information on a feasibility analysis, acquisition, development/rehabilitation, ownership/long-term lease, and operation of a project similar in scope and population, completed on time and within budget;
or
Provide information on the feasibility analysis, acquisition, development/rehabilitation, ownership/long-term lease, and operation of at least two affordable rental supportive housing projects in the last ten years, with at least one of those projects containing at least one unit housing the Affordable Housing Target population. Projects must have been completed on time and within budget.
2. Provide evidence of one or more years of property management experience serving the Target Population.
3. Demonstrate at least one year of experience providing services to the Target Population

REGULATORY COMPLIANCE (Pass or Fail)

1. Does the joint applicant have any non-compliance actions from the City, Merced County, California Tax Credit Allocation Committee (TCAC), California Debt Limit Allocation Committee (CDLAC), or other State agencies, lenders or tax credit investors in the last five years?
2. Is the joint applicant presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by HUD or any other Federal department or agency?
3. Has the joint applicant had any unfavorable judgments or bankruptcies in the last seven years and is not currently involved in any pending or threatened lawsuits or judgment or bankruptcy involving itself or any entity in which it has

been or is now involved, or provide a complete description of any and all known bankruptcies, unfavorable judgments and/or pending lawsuits involving itself or any entity in which they have been or is now involved? All entities are required to disclose pending disputes with the City when bids, proposals or applications are submitted for a City contract or transaction.

AFFORDABLE HOUSING COMPLIANCE (Pass or Fail)

For each item below, joint applicant must indicate intent to comply in response.

1. Joint applicant must obtain an enforceable site control document for proposed property.
2. Joint applicant must provide a clear plan for entitlements, use change or other land use approvals needed within any Affordable Housing Program application timelines.
3. The project must address all life and safety and immediate building system needs, and the project property must conform to building and housing codes prior to occupancy.
4. Joint applicant must comply with any applicable State prevailing wage laws and City employment and contracting requirements, including local employment, apprenticeship, local and small local business enterprise contracting, equal benefits, and living wage requirements.
5. The property must comply with the following disability access requirements prior to occupancy:
 - a. ADA
 - b. California Building Code (CBC) Chapter 11A and 11B
 - c. Uniform Federal Accessibility Standards (UFAS)
 - d. 24 Code of Federal Regulations (CFR) Part 8, or Housing and Urban Development (HUD) Alternative 2010 ADA Standards for Accessible Design.
6. Joint applicant must agree to maintain the proposed development as affordable rental housing in compliance with all applicable California, PLHA, and/or ERF Affordable Housing regulatory agreements including a fifty-five (55)-year deed restriction.
7. Joint applicant must commit to using the Coordinated Entry System or comparable prioritization system for all resident referrals

8. Joint applicant must review and demonstrate the ability to meet/pass all PLHA and ERF Threshold Requirements as detailed in the current Notices of Funding Availability notices found here:
 - a. PLHA: <https://www.hcd.ca.gov/grants-and-funding/programs-active/permanent-local-housing-allocation> .
 - b. ERF: https://bcsb.ca.gov/calich/documents/erf_3r_nofa.pdf

QUALIFICATIONS AND PRINCIPLES (20 Points)

1. For teams of more than one party, please upload an organizational chart.
2. Please upload attachments with specific examples supporting your certified qualifications.
3. Provide a list of Proposed Personnel with qualifications, professional experience and skills of the joint applicant overall and in particular the proposed team members

PLANNING AND PROJECT APPROACH (50 Points)

1. Provide a brief narrative summary of your proposal to complete, on time, the joint applicant requirements of the PLHA and/or ERF Notices of Funding Availability;
2. Describe proposed services of a Lead Service Provider, including but not limited to case management, behavioral health services, physical health services, assistance obtaining benefits and essential documentation, and education and employment services. Such services should be in person and aligned with Housing First principles. Outline opportunities to collaborate with City, nonprofit, and private organizations to serve and identify unhoused individuals and families;
3. Describe proposed property management services, including but not limited to staffing plans, security measures, leasing strategies that align with the core principles of Housing First, regulatory program compliance, housing retention strategies, good neighbor policies, and coordination with supportive services provider;
4. Demonstrate ability to accomplish goals of project as described in this RFP as represented in past work and supporting materials;
5. Demonstrate the availability to perform the work detailed in Project Description in a timely and professional manner;

6. Demonstrate capacity for working with state, local, and federally-funded projects and complying with local, state and federal guidelines;
7. Demonstrate interest and capability in engaging community representatives in a project;
8. Demonstrate interest in and understanding of Housing and Urban Development (HUD) guidelines;
9. Demonstrate interest in and understanding of California Housing and Community Development (HCD) guidelines;
10. Demonstrate an understanding of federal funding, and the ability to leverage other partners, both government and private, to expand financial opportunities;
11. Demonstrate the ability to work with programs that are new to the City of Los Banos, to expand opportunities for residents;
12. Demonstrate excellence in aesthetic quality, workmanship, innovation and creativity, as needed to accomplish the goals of potential projects;
13. Demonstrate ability to reduce cost through economies of scale, where appropriate;
14. Demonstrate feasibility of construction and installation, where appropriate;
15. Demonstrate feasibility in terms of budget, timeline, safety, security, durability, operation, maintenance, conservation, legal and ethical issues;
16. Demonstrate ability to work with diverse communities, in a variety of languages, providing materials that are best suited to the target audiences;
17. Demonstrate ability to conduct outreach in a wide variety of ways, from traditional face-to-face meetings to utilizing social media and other means;
18. Demonstrate ability to identify a Lead Service Provider;
19. Demonstrate the ability to complete project entitlements, and experience with the California Environmental Quality Control Act (CEQA), and National Environmental Protection Act (NEPA);
20. Completeness of the proposal submitted and responsiveness to the RFP;
21. Ability and intent to comply with the City's standard professional services agreement;

VII. SCHEDULE FOR SELECTION AND AWARD

The following *tentative* schedule is anticipated with regard to this RFP:

Phase	Date
Release of RFP	04/12/2024
Deadline for any questions from vendors	04/17/2024 by 5:00 p.m.
Deadline for posting any amendments to RFP	04/22/2024
Proposal Due Date	04/26/2024 by 5:00 p.m.
Review of Proposals	04/29/2024 thru 04/30/2024
Potential Interview of Vendor(s)-Optional	05/03/2024
Selection and Notification to joint applicants	05/06/2024

Proposals arriving after the specified date and time will not be considered, nor will late proposals be opened. Each joint applicant assumes responsibility for timely submission of its proposal.

The City reserves the right to change this schedule and/or discontinue the RFP process at any time.

VIII. SCORING

Category	Pass/Fail or Points
Experience	30 Points
Regulatory Compliance	Pass or Fail
Affordable Housing Compliance	Pass or Fail
Qualifications and Principles	20 Points
Planning and Project Approach	50 Points

IX. SPECIAL CONDITIONS

A. Contract and Insurance Requirements

If a joint applicant is selected to enter into a contract with The City, joint applicant shall be required to enter into a city-prepared Professional Services Agreement approved by the City Attorney. See Attachment A for General Terms and Conditions.

Joint applicant shall be prepared to accept the terms and conditions of the City's Standard Professional Services Agreement including Insurance Requirements. The City reserves the right to change the City's Terms, Conditions, or Insurance Requirements.

B. BUSINESS LICENSE

The successful proposer that is awarded the contract will be required to apply for and obtain a business license in accordance with the Los Banos Municipal Code.

C. RESERVATIONS

This RFP does not commit the City to award a contract, to defray any costs incurred in the preparation of a proposal pursuant to this RFP, or to procure or contract for work. No payment of any kind will be provided to the joint applicant responding to this RFP, or parties they represent, for obtaining any of the information solicited.

D. PUBLIC RECORDS

All proposals submitted in response to this RFP become the property of the City. Information in the proposal, unless specified as trade protected, may be subject to public review. Any information contained in the proposal that is proprietary must be clearly designated. Marking the entire proposal as proprietary will be neither accepted nor honored. Proprietary information submitted in response to this RFP will be handled in accordance with the California Public Records Act.

E. RIGHT TO CANCEL AND AMEND

The City reserves the right to cancel, for any or no reason, in part or in its entirety, this RFP, including but not limited to: selection schedule, submittal date, and submittal requirements. If the City cancels or revises the RFP, all joint applicants will be notified in writing.

F. PROPOSER'S QUESTIONS

The City will not give verbal answers to inquiries regarding information in this RFP, or verbal instructions prior to the submission deadline. All questions shall be submitted in writing to Housing Program Manager, Christy McCammond at Christy.mccammond@losbanos.org . A verbal statement regarding same by any person shall be non-binding. The City is not liable for any increased costs resulting from the joint applicant accepting verbal directions. Any explanation desired by an joint applicant must be requested of the City representative in writing not later than **April 17, 2024** at 5:00 p.m. and if explanation is necessary, a reply shall be made in the form of an addendum, a copy of which shall be posted on the City website at www.losbanos.org on or before **April 22, 2024**.

G. ADDITIONAL INFORMATION

The City reserves the right to request additional information and/or clarification from any or all vendors.

H. CONFLICT OF INTEREST

Joint applicant covenants that the company, its officers, employees and/or agents presently have no interest, and shall not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the performance of the services requested herein by the City. Joint applicant further covenants that, in the performance of any contract or agreement resulting from this RFP, no subcontractor or person having such an interest shall be employed. Joint applicant certifies that to the best of vendor's knowledge, no one who has or will have any financial interest under any contract or agreement resulting from this RFP is an officer or employee of the City.

I. RELEASE OF PUBLIC INFORMATION

Joint applicants who respond to this RFP who wish to release information to the public regarding selection, contract award or data provided by the City must receive prior written approval from the City before disclosing such information to the public.

J. NON-ASSIGNMENT

If a contract is awarded, the selected joint applicant shall neither assign, nor delegate, in part or in whole, any duties without the prior written consent of the City which shall not be unreasonably withheld.

K. COLLUSION

Each joint applicant certifies that the company, its officers, employees and/or agents are not a party to any collusive action, fraud, or any action that may be in violation of the Sherman Antitrust Act. The joint applicant certifies that the company, its officers, employees and/or agents have not offered or received any kickbacks or inducements from any other bidding vendor, supplier, manufacturer, or subcontractor in connection with the proposal and that the company, its officers, employees and/or agents have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services, or anything of more than nominal value. Any or all bids shall be rejected if there is any reason to believe collusion exists among the bidding vendors. More than one bid from an individual, joint applicant, partnership, corporation, or association under the same or different names may be rejected. Reasonable grounds for believing that a bidding joint applicant has interest in more than one proposal for the work being

proposed may result in rejection of all bids in which the bidding joint applicant is believed to have interest.

L. DEBARMENT

By submitting a proposal, the joint applicant certifies that the company is not currently debarred from submitting proposals and/or bids for contracts issued by any City or political subdivision or agency of the State of California, and that it is not an agent of a person or entity that is currently debarred from submitting proposals and/or bids for contracts issued by any City or political subdivision or agency of the State of California.

M. EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

The selected joint applicant shall not discriminate against any employee or joint applicant for employment because of race, creed, color, or national origin. The joint applicant shall take affirmative action to ensure that all employees and joint applicant for employment shall be treated with equality in all aspects of employment processes including, but not limited to, hiring, transfer, promotion, training, compensation and termination, regardless of their race, creed, color, sex, national origin, age, or physical handicap.

N. RIGHT TO AUDIT

The selected joint applicant shall maintain such financial records and other records as may be prescribed by the City or by applicable federal and state laws, rules, and regulations. The selected joint applicant shall retain these records for a period of three years after final payment, or until they are audited by the City, whichever event occurs first. These records shall be made available during the term of the contract or service agreement and the subsequent three-year period for examination, transcription, and audit by the City or its designees.