County of Alameda

Home Together Fund: Multifamily Homelessness Solutions

2025 New Construction Request for Proposals (RFP)

Released October 27, 2025

Revised November 17, 2025

Proposals Due:

~~**December 1**~~**December 8, 2025, by 12 p.m.**

Contact for Questions:

HCDRFP@acgov.org

Table of Contents

I. Summary of Funding Opportunity

The Alameda County Housing & Community Development Department (HCD) and the Housing & Homelessness Services Department (H&H) are seeking proposals to rapidly expand the supply of long-term site-based housing options for people experiencing homelessness under the County's new Home Together Fund (HTF) Multifamily Homelessness Solutions Program (Program or HTF MHS Program).

RFP Purpose: This RFP emphasizes the rapid deployment of funds to create new permanently affordable units for homeless households. Therefore, the County will place an emphasis on selecting projects that are ready to proceed as described in the threshold and scoring criteria.

Available Funding: The Alameda County Housing and Community Development Department (HCD) expects to provide up to approximately $50,000,000 in funding for projects that provide housing for unhoused individuals. The funding for this RFP release will consist of approximately $40,000,000 in local Measure W Home Together Fund dollars for capital and operating subsidies as described in this RFP, with the goal of funding shovel-ready projects. If any funds are unallocated, they will be made available in future rounds. Another RFP will be released in early 2026 for approximately $10,000,000 for acquisition and rehabilitation projects.

Summary of Eligible Projects: RFP Funding is available to multifamily affordable housing projects that meet all of the following criteria:

1. Are ready to go, but for gap financing
    i. "Ready to go" means project can demonstrate that, with RFP funding, project will be competitive in 2026 for either 9% tax credits, 4% tax credits/bonds or the State HomeKey+ (HK+) Program under Section 502 Gap Financing; and
2. Projects must have a homelessness component and have a supportive services team in place, including developer/service provider MOU and supportive services plan by the time RFP application due date; and
3. Assisted units must serve HTF eligible population, as defined in the RFP; and
4. Already have preliminary commitment of supportive services from H&H or other funder by the time of RFP submission; and
5. Projects must demonstrate at least fifteen (15 years) of operational sustainability while serving the proposed HTF assisted population.
6. Applicants can structure their projects as either 9% tax credits, 4% tax credits/bonds or HK+ gap financing for new construction projects

Geographic Distribution: This RFP funding opportunity is available to proposed housing projects located in Alameda County. The ultimate geographic distribution of Measure W Home Together Fund expenditures will be in alignment with the Measure W Guiding Principles and the Home Together Plan.

II. RFP Timeline and Application Due Date

Applications must be completed online. Applicants must first complete a Summary Applicant Information Form at: https://forms.office.com/g/UV3Fgtf6MW and will then be provided with a OneDrive link to securely upload supplemental application materials. **Applications must be submitted by no later than December 1, 2025, by 12 p.m. ("Application Due Date").** Additional information on the on-line application process may be found in Appendix A of this RFP and will be provided at the Mandatory Bidders' Conferences. If you have any questions, contact HCD at HCDRFP@acgov.org.

Applications become public records. Applicants should understand that, under the California Public Records Act, all documents that are submitted in response to this RFP are considered part of the public record and will be made available to the public, upon request, following the application deadline. The County reserves the right to suspend, amend, or modify the provisions of this RFP, to reject proposals, to negotiate modifications of proposals, or to award less than the full amount of funding available. Alameda County is an Equal Housing Opportunity and Accessible Housing Provider.

Summary of RFP Application Timeline

DATE	EVENT
October 27, 2025	RFP Release
October 30 & November 4, 2025, 10 am – 12 pm	Mandatory Bidder's Conferences
November 5, 2025	Written questions due to HCD HCDRFP@acgov.org
November 17~~0~~, 2025	HCD issues FAQ document
December 8~~1~~, 2025, 12 pm pacific time	***RFP Application Due Date***
December 8, 2025	Begin County Selection Committee Review Period / Completeness Review, Additional Applicant Information Requests
January 14~~7~~, 2026	Notification of HCD's selection of an applicant proposal for a conditional award of funding.
February 2026	Board of Supervisors consideration of funding approval (if necessary)

III. Measure W Home Together Fund Background and Policy Objectives

A. Measure W Home Together Fund Background

Measure W is a 10-year countywide general sales and use tax passed by Alameda County voters

in November 2020 to provide essential services for Alameda County residents, including housing and services for those experiencing homelessness, mental health services, job training, social safety net and other general fund services.

The Alameda County Board of Supervisors designated accrued Measure W revenues of $390 million to quickly respond to unsheltered homelessness and support the expansion of interim and permanent housing consistent with the County's adopted Home Together Plan at its December 17, 2024 meeting. On July 30, 2025, the Board of Supervisors adopted the Measure W Framework, establishing the Home Together Fund, aligned with the Home Together Plan, and the Essential County Services Fund to support safety net programs impacted by Federal funding cuts.

The HTF Homeless Housing Capital Program ("Program") RFP represents a one-time investment of local resources intended to address urgent homelessness housing needs. It provides capital funding, and where appropriate, complementary operating support, to expedite project delivery of newly constructed, deeply affordable units for Home Together eligible populations. The HTF MHS Program allocates project- or site-based capital and operating subsidy, meaning the subsidy is approved for a given housing unit within an affordable housing development project that will exclusively serve households experiencing homelessness, and is not committed to any one specific tenant. The affordable housing created will have long-term affordability restrictions and be operated as homeless housing for the long term.

Funds awarded through this RFP may be used as match for local or State funding sources for which a project may be eligible, such as tax credits and any remaining State HCD Homekey+ funds.

In addition to the local funding available through the Measure W Home Together Fund, HCD and H&H may recommend allocating a portion of other local funds that may become available such as annual operating subsidies. In addition, HCD staff are working closely with the Housing & Homelessness Department and local cities and housing authorities to identify resources available to fund housing serving people experiencing homelessness including operating subsidies and funding for supportive services.

The County anticipates additional future rounds of HTF development funding addressing the range of capital needs and homelessness solutions.

The Program and this RFP facilitate the assembly and leverage of multiple funding sources and their deployment towards homeless housing solutions, which is informed by and aligns with the County's Vision 2036 10X Goals, Home Together Plan, and HCD's 2025-2035 Housing Plan ("Housing Plan").

B. Coordination with State Funding Sources

In developing the thresholds and evaluation criteria for this RFP release, HCD and H&H seek to ensure that the projects brought forward to the Board of Supervisors for funding consideration

will meet the stated goals and priorities of the HTF MHS Program, be programmatically and financially feasible, be expected to have an excellent chance of obtaining other competitive financing sources, and be in the best position to move forward to construction in a short period of time. Staff anticipates that many developers applying for the Measure W funds through this RFP release will also be applying for competitive funding sources through the State of California, including the Low-Income Housing Tax Credit (LIHTC) Program and the Homekey+ Program. The RFP evaluation criteria and the timing of this RFP have been developed to align closely with these programs, and in particular, to incentivize the development of supportive housing units for homeless populations.

C. Program Policies

The Alameda County Board of Supervisors adopted the broad framework for the Home Together Plan in 2020. The Plan's overarching goals align with Alameda County's Vision 2026, which holds as one of its primary objectives to "ensure the availability of diverse and affordable housing for all residents with the goal of eliminating homelessness in Alameda County." The Plan includes five-year targets for the creation of significant quantities of new housing and shelter in order to meet the unmet need of all people experiencing homelessness in Alameda County.

HCD serves as lead implementation agency for the Alameda County Affordable Housing programs. The County Housing Plan, adopted by the Board of Supervisors, identifies the need for $1.21 billion in capital investment in Permanent Supportive Housing, $2.91 billion for dedicated affordable housing for acutely low-income households, and $920 million for housing for medically frail individuals to end homelessness in Alameda County. In addition to capital for development of long-term affordable housing, Permanent Supportive Housing requires operating subsidy to ensure ongoing operations and the long-term financial stability of those developments. Within the County Housing Plan policy framework, HCD serves as the housing development coordinator, lender, and asset manager for all types of affordable housing while H&H supports program design, award decisions, and resident health and stability services of projects that serve Home Together populations.

This RFP uses the draft HTF Multifamily Homelessness Solutions Program Policies, which are to:

1) Maximize leverage of County HTF resources and produce the largest number of units serving persons experiencing homelessness as quickly as possible;
2) Select feasible projects that can compete well for State/Federal funding;
3) Fund projects at a level to ensure viability for the life of the regulatory period, including operating subsidies; and
4) Ensure HTF funding will fill a gap and not supplant other funding.

IV. Funded Project Requirements

Affordable housing development projects receiving assistance from this RFP must meet the terms and requirements of this RFP and the HTF MHS Program Policies. In addition, projects must adhere to HCD's Affordable Housing Development Loan terms**,** located in Appendix B to this RFP. HCD also maintains policies and procedures to guide its Affordable Housing Development Program. The Policies and Procedures document has greater detail on the County's overall rental housing program requirements and local policies as well as policies for federal funding released issued through HCD (e.g. CDBG, HOME, and HOPWA funding), financing and underwriting requirements, contracting requirements, and other important information. In addition, project applicants requesting site-based operating subsidy through this RFP must adhere to the Alameda County Local Housing Subsidy Program Framework ("LHSP Framework" included as Appendix G to this RFP. The Affordable Housing Development Program Policies and Procedures ("AHDP Policies and Procedures" or "Policies and Procedures") and LHSP Framework are incorporated into the RFP by reference.

The most current Policies and Procedures document can be found here. For more information on affordable housing development in Alameda County please visit the Alameda County Housing and Community Development Department website: https://www.achcd.org/community-partners/affordable-rental-housing-development/. Links to these documents are provided through the Application.

Project applicants are strongly encouraged to review and understand the *Affordable Housing Development Loan Terms*, and the *AHDP Policies and Procedures* and the *LHSP Framework* prior to submittal of proposals through this RFP.

V. RFP, Application Submission, Review and Funding Process

A. Mandatory Bidders' Conferences

All applicants must attend one of the two Mandatory Bidders' Conferences held on October 30, 2025, and November 4, 2025, from 10 am – 12 pm online through Microsoft Teams. You may register for the Bidder's Conference here or here. Only organizations that have at least one representative attend a meeting will be eligible to submit applications. This requirement is in place so that all applicants hear the same information. The application submittal process will be discussed at the meeting.

B. On-Line Application Requirement

Affordable Housing Developers will apply through a two-step process. Applicants will need to first fill out a Summary Applicant Information Form. After completing the form, applicants will receive a unique link to a OneDrive folder where they will upload required RFP application documents for their project. More information about the application process and the

documents and information required for upload is available in the RFP Application Instructions. A tutorial on the on-line application process will be given at the Mandatory Bidders' Conferences.

Applicants must complete the on-line application and submit it by no later than 12 PM on the due date Monday, December 8~~1~~, 2025. Late applications will not be considered.

C. Application Organization

All application information must be provided via the Summary Applicant Information Form and a OneDrive folder for required RFP application materials. A summary of the required application elements includes:

- Summary Applicant Information Form
- Narrative Cover Letter
    - Provide an explanation of last round score, tiebreaker and ranking and how would this RFP application will improve that. See RFP Application Instructions for guidance.
- Self-Scoring Worksheet
- Current state financing application workbook (Excel format), as appropriate to the applicant's proposed financing plan.
- Required Documents Uploaded to OneDrive (See the RFP Application Instructions)
- Required County Certifications, signed and dated, by all General Partners

Please refer to Appendix A- RFP Application Instructions for detailed guidance on RFP submittal requirements.

D. Frequently Asked Questions (FAQs)

FAQs will be sent out to all participants of the Mandatory Bidders Conferences. Applicants must email all questions regarding the RFP and/or application process to HCDRFP@acgov.org. Answers will be emailed to all participants of the Mandatory Bidders' Conferences at the same time so that all potential applicants see all questions and answers. The last date to submit questions is Wednesday, November 5, 2025; the last set of questions will be responded to by Monday, November 10, 2025. After this date, no additional questions will be reviewed or answered.

E. Revisions to RFP

If it becomes necessary to modify any aspect of this RFP, HCD will post to HCD's RFP web page and provide a notification to each organization attending a Mandatory Bidders' Conference.

F. Modifications to Submittals

Applicants may not modify their Submittal at any time after the due date, except in direct response to a request from HCD for clarification. Any Submittal and proposed information items must be valid for at least 180 days after submission.

G. Expense of Preparation

HCD is not responsible for any expenses incurred in preparation of submittals or in any action in connection with the process, or for the costs of any services performed in connection with submittal, interviews, or approval process.

H. Reservation of Rights

HCD reserves the right to conduct any investigation of the qualifications of any proposer that it deems appropriate, negotiate modifications to any of the items submitted, request additional information from any proposer, extend the deadline, reject any or all submittals, and waive any irregularities. HCD retains the right to negotiate the terms and services in any submittal. HCD retains the right to cancel this process, extend the deadline, re-start the process or not select any provider.

I. Review and Funding Process

After the Application Due Date, applications will be reviewed by HCD staff for completeness, compliance with RFP requirements, satisfaction of minimum threshold requirements, and competitiveness.

Please note:

- Incomplete applications will not be accepted.
- Staff may ask clarifying questions of applicants after the Application Due Date and will require submittal of additional documentation or responses to questions. HCD will include this information in the review process.
- Proposals for funding that do not meet the minimum threshold requirements may be rejected, may not be rated or ranked, and may not be considered for a funding award, at the HCD Director's sole discretion.
- Alameda County HCD reserves the right to refuse funding for any and all applications, at the HCD Director's sole discretion.

J. Review Process

To be considered for funding, applications will first be reviewed on the basis of whether they have met the **Minimum Threshold Requirements** as outlined in Part VI of this RFP. Qualified projects that have passed the minimum required thresholds will then be scored (rated and ranked) based on the RFP **Rating and Ranking Evaluation Criteria** as outlined in Part VII of this RFP.

A County Selection Committee (CSC) will individually review and rate the proposals for a final funding recommendation. HCD reserves the right to recommend funding for less than the amount requested by an applicant, and/or apportion funds between projects in case of tie scores, as needed to expend funds in a timely fashion, and/or to achieve Program and RFP goals.

All developments financed with HTF RFP funds must have the support and approval of the cities

in which they are located.

- Issuance of Award Notifications and Funding Commitments

Once the CSC ranking process is complete, HCD will release a staff report including funding recommendations. This will serve as notice of intent to award selected projects. Pending approval of the Home Together Fund Homelessness Solution Program Framework, and after the appeals period, HCD staff will issue notices of funding commitments to selected projects by January ~~7th~~14th, 2026 or as soon as possible thereafter. Execution of final loan documents and disbursement of funds is subject to the review and approval Alameda County Board of Supervisors. That process may be revised as needed to accommodate legal and logistical concerns; all applicants will be notified of any changes.

Applicants recommended for funding must be present at all committee/Board of Supervisors meetings related to their applications and should be prepared to make a 2-3 minute brief presentation on their project proposal if requested. Lack of attendance could result in changes to funding recommendations. The only notification of the meeting date, time, and location will be the emailed staff report.

VI. Minimum Threshold and Underwriting Requirements

Projects applying for HTF funding through this RFP process will be assessed first on whether they have attained the **Minimum Threshold Requirements** as described in this Section of the RFP. Projects must meet all minimum threshold requirements to be considered for funding. Only after a determination is made that a project has met minimum threshold will it be evaluated on the basis of the **Rating and Ranking Evaluation Criteria**. These threshold requirements are intended to ensure that RFP funded projects will reasonably be able to move into construction within twelve months of funding commitment.

A. HTF RFP Subsidy Limits

Through this RFP, HCD intends to fund both project capital costs and/or operating subsidies. Applicants may request either capital development funding or operating subsidies, or a combination of both. Due to the limited local funding available, the following are the program's funding caps:

Per Unit Subsidy Limit:

Capital Development	Homelessness Units	$200,000 per unit
Capitalized Operating Subsidy	Homelessness Units	$2250~~00~~,000 per unit

Limitations: The total combined per Unit Subsidy maximum is $2~~0~~50~~0~~,000 per unit. For example, an applicant may request $175,000 in capital subsidy and $50,000 in operating subsidy for a total of $225,000 per unit.

Although applicants should plan to vigorously pursue opportunities for non-HTF subsidies for their projects, applicants should request the entire amount reasonably needed to ensure feasibility of their project, up to the maximum amount described above, regardless of the total amount of funds available through this RFP. Please note that HCD, with support from H&H, reserves the right to adjust these caps to further the achievement of program objectives.

For the purposes of the Application, applicants seeking funding should make the following assumptions:

Capital Award Per Unit
$175,000 – Studio or one-bedroom units.
$200,000 – Two-bedroom units

Maximum Operating Award per Unit

The HTF Capitalized Operating Subsidy will be sized based on the difference between the cost of operating the HTCES units and the revenues received for those HTCES units, including tenant rental payments and any other operating subsidies. The total aggregate maximum amount of the HTF Capitalized Operating Subsidy shall not exceed $225,000 per unit.

- ~~See HTF Capitalized Operating Subsidy Reserve -Unit Rent Assumptions, in this RFP.~~

B. HTF Capitalized Operating Subsidy

Through this RFP, HCD is making site-based operating subsidies available in the form of an HTF Capitalized Operating Subsidy Reserve ("HTF COSR") associated with units set-aside in a project for HTF-eligible tenants.

HCD, in collaboration with H&H and other Alameda County partners, has developed a site-based Local Housing Subsidy Program Framework. The LHSP Framework, included as Appendix G to this RFP, provides a standardized programmatic structure for the evaluation, allocation and administration of permanent supportive housing operating subsidies to eligible affordable housing providers who are providing designated units for homeless persons within their projects.

For applicants requesting HTF COSR funding through this RFP, the LHSP Framework supplements the RFP requirements and provides additional information regarding underwriting assumptions and post-award funding requirements.

The HTF RFP differs from the LHSP Framework in a few key provisions regarding the term of the operating subsidy and maximum rent standard. With respect to these provisions, discussed below, the RFP funding requirements will control the HTF COSR funding.

Sizing the HTF Operating Subsidy

This RFP will provide site-based operating support to a project sponsor through an HTF Capitalized Operating Subsidy Reserve (COSR) established and held by the County to address project operating deficits attributed to the HTCES units to be assisted through the HTF COSR for up to a 15-year period. The HTF COSR is intended to be fully funded at the start of the grant term, and will be held by the County in a separate account established by the County for the specific project (the "HTF COSR Account"). The operating subsidy support will be released in periodic installments to the project sponsor to support the project's ~~Home Together Fund assisted units ("HTF assisted units")~~ Home Together Coordinated Entry System units ("HTCES units") in accordance with the terms of the operating grant agreement between the County and project sponsor.

The HTF COSR will be sized based on the difference between the cost of operating the HTCES units and the revenues received for those HTF units, including tenant rental payments and any other operating subsidies. The COSR will be underwritten using the lesser of the monthly Maximum 50% AMI CTCAC Rent for Alameda County for the applicable unit size, or the monthly cost of operating the HTCES unit. The tenant's rent contribution will then be subtracted from this amount to arrive at the monthly HTF operating subsidy (i.e., the amount of the shortfall between the cost of operating the HTCES unit and what the tenant can pay towards renting that HTCES unit). The County will use a 2.5% annual escalator to calculate the capitalized amount of the HTF operating subsidy reserve. To demonstrate operational sustainability, it is anticipated that the HTF COSR will assist the project over a 15-year term. However, the total not-to-exceed aggregate limit of any HTF COSR operating grant agreement will be limited to $225,000 per HTCES unit.

HTF COSR Sizing Example: Project located in Alameda County; includes ten (10) HTCES units for persons experiencing homelessness; all HTCES units are studio (0-bedroom) units with assumed occupancy by 1-person households at marginal estimated tenant rent contribution per H&H CES income data.

Per unit per month (PUPM) operating cost for the HTF COSR Unit	$1,500
FY 2025 Maximum 50% AMI Rent for Studio Unit*	$1,398
Take Lesser of PUPM operating cost or Max Rent	$1,398
Annual Tenant Income Assumption (H&H data), based on Coordinated Entry System income data	$15,200
Monthly Tenant Income Assumption	$1,267
Estimated tenant rent contribution (30% of income)	**$380**

Monthly HTF Operating Subsidy per HTCES Unit (difference between Max Rent and tenant rent contribution) *$1,398 - $380*	$1,018
Annual HTF Operating Subsidy per HTCES Unit	$12,216
Annual HTF Operating Subsidy for all 10 HTCES Units	$122,160
15-year Project HTF COSR (assumes escalator of 2.5% per year)	**$2,245,328**

*per CTCAC 2025 Maximum Multi-Family Tax Credit Subsidy Rents for Alameda County.

Applicants for HTF COSR funding will be required to substantiate the requested amount of COSR. The County will consider individual factors in determining how to size the COSR such as the number of HTF units to be assisted, the percentage of units that have other rental subsidy and term of that contract, other sources of income that may be available to the target population (such as social security or disability income).

If a project has obtained a commitment of other rental subsidy that includes homelessness as an eligibility requirement (e.g. Project Based Section 8 or VASH) that also requires CES referrals, for purposes of determining the HTF operating subsidy, the revenue from those rental subsidy(ies) will be included with revenue from the HTF operating subsidy to offset projected operating costs.

For projects where less than 100% of the units are HTCES units or are units funded by another operating subsidy that includes homelessness as an eligibility requirement, the HTF COSR funding is intended to cover only the portion of the operating shortfall that is associated with the HTCES units.

Eligible Uses of HTF COSR Funding

HCD will allow HTF COSR funds to cover all reasonable operating costs for the residential portion of the building at a pro-rated, per-unit value associated with the HTCES units. Please refer to Appendix G – LHSP Framework for guidance regarding eligible and ineligible operating costs.

~~B.~~C. Home Together Coordinated Entry System Assisted Units and Unit Rent Assumptions

Projects that are proposing to serve extremely low income (ELI) households and those homeless households with incomes at or below 30% of the Area Median Income (AMI) for Alameda County, typically require a commitment of operating subsidy to ensure that the ELI tenants do not pay more than 30% of their incomes towards housing costs while ensuring the project has positive cash flow and is financially viable.

Maximum Income Requirements: The HTCES units must be restricted to extremely low income households with incomes no greater than 30% AMI. HCD will require that HTCES units are rented to Home Together eligible tenants and the tenant contribution to rent is no more than 30% of household income. Applicants are advised that the estimated Home Together tenant contribution to rent is typically between 0% and 15% AMI.

Tenant-Based Rental Assistance: For HTCES units, projects may not increase rents above the HCD restricted rents for tenants with tenant-based rental assistance (such as Housing Choice Vouchers). Projects may underwrite rents at 30% of 30% AMI, however, HCD will require that HTCES units are rented to Home Together eligible tenants and the tenant contribution to rent is no more than 30% of household income.

Non-HT Project-Based Rental Assistance: HTCES units with project-based rental assistance from a source other than the HTF (such as the Project-Based Voucher Program) may rent for the maximum rent allowed under the rental assistance program provided they are rented to a Home Together eligible tenant and the tenant contribution to rent is no more than 30% of household income.

HTF Capitalized Operating Subsidy Reserve -Unit Rent Assumptions: The HTF COSR may only be used as operating assistance to support operating the HTCES units. Unless HTCES units have more restrictive unit rent limits set by other public financing sources, the amount of the HTCES Unit COSR will be sized based the rent differential between a rent sized at 50% AMI (TCAC rent limits) based on unit size, and the H&H estimated tenant contribution to rent, which is no more than 30% of household income.

Calculation of Annual HTCES Unit COSR

Unit Type	Estimated Tenant Rent Contribution	HTF-Unit Public Rental Subsidy Rent Limit*	Rent Differential HTCES Unit COSR
Studio	$380	$1,398	$1,018
1 bedroom	$380	$1,498	$1,118
2 bedroom	$539	$1,798	$1,259

Source: *per CTCAC 2025 Maximum Multi-Family Tax Credit Subsidy Rents for Alameda County.

~~C.~~D. Eligibility

- Eligible Applicants
  The Developer must be a nonprofit organization, a local government agency, or a joint venture that includes a qualified nonprofit organization. The developer must meet HCD's threshold Developer Standards as follows:
    a. HCD awards funds to Tier One developers. In order to be considered for funding

under the Tier One criteria, a developer must demonstrate experience and capacity to complete the project. Experience includes the successful development and completion of three Affordable Rental Housing Developments that are equivalent to the proposed Affordable Rental Housing Development in size, scale, level of amenities, and populations served by the Developer entity and within budget and on schedule within the last ten years.

b. Capacity includes having staff on board and assigned to the project who have worked on similar projects and whose resumes demonstrate their ability to guide the project through all stages of the development process.
c. For developers that do not meet these requirements, a partnership with a Tier One developer is required.
d. Long term ownership entity must include a Tier One developer and its capacity to oversee the asset management of the building over the term of the regulatory agreement.

Applicants should refer to the HCD *Affordable Housing Development Program Policies and Procedures*, which is incorporated into this RFP by reference, for specific requirements.

e. Applicant teams must meet minimum experience qualifications as follows:
    - Developer/Project Sponsor must qualify as a Tier One developer under HCD's Developer Standards, and the Developer General Partner member must qualify for maximum general partner experience points under the most recent CTCAC Regulations
    - Property Manager:
        1. Eleven (11) or more projects managed more than three (3) years, including two (2) LIHTC projects in California; and
        2. At least three years of experience managing supportive housing units in at least two properties of no fewer than ten units each.
    - Services Provider for HTCES units:
        3. Two or more years of experience providing services to the proposed target population(s); and
        4. Have a track record and be in good standing with the County's Housing and Homelessness Services team.
        5. Be pre-qualified as a Housing Community Supports or Enhanced Care Management provider in Alameda County or have a documented partnership with a provider who is so qualified.
        6. If there is more than one services provider, application must clearly identify the lead services provider and include qualifications for all services provider organizations.

- Eligible Activities

  Eligible activities are the new construction of permanent affordable rental housing for HTF Eligible Housing Units and includes:

  a. Gap financing for 100% affordable developments to the extent the project provides HTCES units, as defined in this RFP, and has not yet started

construction.

b. Capitalized operating subsidies for HTCES set-aside units, including in new construction projects that have commenced construction but are not yet occupied and not yet converted to permanent financing ~~developed with RFP funds~~.

For projects are in construction, the following additional eligibility requirements apply. Projects that have started construction are eligible to apply for HTF COSR funding if all of the following conditions are met:

i. Project development costs are fully funded (no construction gap); and

ii. Applicant has a feasible proposal to buy-down units in the project to be set-aside as HTCES units; and

iii. There is a net gain of homeless units due to the HTF COSR. This means the units set-aside as HTCES units must be new homeless units that were not otherwise restricted as homeless units prior to the HTF COSR buy-down.

- Eligible Projects

a. The proposed project must be located in Alameda County.

b. Project must provide permanent affordable rental housing.

c. Applicants must certify that if awarded RFP funding, project commits to applying in one of the upcoming 2026 rounds for either 4% or 9% tax credits, or applying no later than February 2026 in the State HCD Homekey+ (HK+) NOFA ~~for~~ under Program Section 502 - Ggap Ffinancing, as appropriate to the project's proposed financing plan.

d. Minimum Project Size: 25~~30~~ units

- HTF Eligible Housing Units

RFP funding must be used for HTCES units which must be set-aside for persons experiencing homelessness in Alameda County in the following categories:

a. "**Dedicated Affordable Housing**" is subsidized housing for households exiting homelessness where the tenant pays only 30% of household income. Dedicated affordable housing should include housing stabilization services but households are not assumed to need short-term or long-term intensive support.

b. "**Permanent Supportive Housing**" or PSH is independent housing for formerly homeless households that includes rental assistance to allow the tenant to pay only 30% of their household income and offer supportive services to assist with housing stabilization and individual and community supports.

c. "**PSH+**" is Enhanced Permanent Supportive Housing, which includes all the PSH elements plus more intensive services as needed for people with acute medical or behavioral health needs. These units are only allocated to projects that demonstrate specific capacity to serve a higher-needs population.

d. Tenant referral for HTCES units shall be through the Coordinated Entry System or

as specified by H&H.

Minimum Number of HTCES Units: In order to encourage scale and efficiency in the delivery of on-site supportive services, the County encourages as a best practice that projects include at least 25 units serving Alameda County residents currently experiencing homelessness, referred through Coordinated Entry or as specified by H&H. Applicants should size the number of requested HTCES units based on the balance of factors that best suits their project. The County may consider Projects that do not meet this minimum threshold but can demonstrate comparable provision of on-site supportive services in terms of the staffing, scope and operational efficiency of the on-site supportive services.

~~D.~~E. Underwriting Thresholds

The purpose of this section is to provide developers and other stakeholders with clear and transparent underwriting requirements that drive project financing projections in the very early stages of pre-development. It is intended that this will encourage smooth underwriting and negotiations in further stages of development, loan approval, and loan closing; however, these regulations do not contain every term that will apply to each development.

Developers must refer to and abide by these Underwriting Requirements when developing their project financial pro formas.

Gap Financing
Requested funds must fill a financing gap. The project must not already be fully funded with permanent financing, and HTF RFP funding may not replace other permanent funding on the project. For COSR-only funding requests, the HTF COSR funding is intended to cover only the portion of the operating shortfall that is associated with the HTCES units.

Local Support & Match Contribution
All projects funded under this RFP must have the support of the city in which they are located, including a financial contribution.

Local Support: Applicants must include a letter of local support for their project to be signed by the city manager or their designee. For projects located in the unincorporated County, applicants must provide a letter of local support from the County Community Development Agency Director.

Match: All projects funded by this RFP must include match from the city in which the project is located. The formal Match Commitment must be submitted at the time of RFP application in order for a project to satisfy the match threshold requirement and in order for the match to be evaluated as a source of committed financing.

- Amount: The minimum amount of match must equal the city planning and building fees,

not including impact fees, for the city in which the project is located. Additional amounts are encouraged.

- Eligible Type: Match must have a determinable financial value, including, but not limited to, any combination of such things as:
  1. Cash, including HOME, CDBG and other federal or State funds that flow through the jurisdiction and are funding sources on which the jurisdiction relies;
  2. The value of land which has been donated or the value of a reduction in cost of land from market value;
  3. Waived planning, building or impact fees;
  4. Cash or land donated by developer as a result of a negotiated deal with the city or due to a city policy;
  5. The additional loan amount leveraged by a local housing authority's commitment of project-based vouchers (including, but not limited to, Project-Based Vouchers, Veterans Administration Supportive Housing, and local programs).

Eligible Costs

1. Property acquisition;
2. Demolition;
3. On-site improvements;
4. Off-site utility connections;
5. Construction costs necessary to construct a non-luxury project with suitable amenities in accordance with the property standards described below;
6. Soft costs associated with the development and financing of the project;
7. An initial operating reserve during the period in which the project is initially marketed (not to exceed 18 months after completion);
8. A capitalized operating subsidy reserve for HTCES units
9. Reasonable developer fees (see *Affordable Housing Development Loan Terms,* which is incorporated into this RFP by reference); and
10. Relocation costs.

Ineligible Costs/Uses

1. Costs associated with construction items or materials of a luxury nature;
2. Furnishings (except where required for special needs projects);
3. Most off-site improvements (utility connections into the adjacent street are eligible costs);
4. Developer/sponsor administrative costs (other than included in the developer fee);
5. Marketing events such as groundbreakings and grand openings;
6. Substitution of HTF RFP funds for any source of funds that has been previously committed to the project, or represented to any other funding source as being available for the project, is not permitted; and
7. Capitalized replacement reserve.

AFFORDABILITY TARGETING

Current affordable rent and income levels must be used in the application. See Appendix D – 2025 *Income, and Rent Limits,* which is incorporated into this RFP by reference, for current rent

and income levels. Maximum rents must be adjusted downward by an allowance for tenant paid utilities in accordance with the federal Section 8 program published by the local Public Housing Authority for the jurisdiction in which the project is located; or another method for calculating utility allowance may be used, subject to HCD's review and approval of the alternative methodology and calculations.

MINIMUM AFFORDABILITY - RENTAL PROJECTS

Project Requirements

- The majority of non-HTCES housing units in the project are expected to serve very low-income households with incomes between 30% and 60% of Area Median Income (AMI).
- The HTCES housing units in the project must conform with Part VI.B – Home Together Assisted Units and Unit Rent Assumptions of this RFP. HTCES units must be rented to Home Together eligible tenants and the tenant contribution to rent must be no more than 30% of household income.

FINANCING GUIDELINES

1. REASONABLE DEVELOPMENT COSTS

Projects will be compared to similar projects in this funding round. Projects with abnormally high costs are generally defined as being more than 15% above the median development cost per unit, per bedroom, or per square foot than similar projects. If needed, staff will request justification for the higher costs or request a revised budget to be submitted from the applicant. If staff does not approve the justification or the revised budget, an application may be deemed incomplete or HCD could require a reduction in the development budget.

2. CONTRACTOR PROFIT, OVERHEAD AND GENERAL CONDITIONS

HCD limitations on the overall cost of contractor/builder overhead, profit and general requirements will be generally consistent with TCAC regulations pertaining to financial feasibility and reasonable cost determination.

3. CONSTRUCTION CONTINGENCY

Refer to *Affordable Housing Development Loan Terms*.

PREVAILING WAGE

If a project funded under this RFP is, independent of such funding, subject to federal or state prevailing wage laws, those federal or state mandates will control. If a project funded under this RFP is not otherwise subject to federal or state prevailing wage laws, it will be required to pay wage rates equivalent to California prevailing wage. The project will be required to report on these wages and HCD will monitor compliance.

RELOCATION

State or federal relocation law will apply for projects that will temporarily or permanently displace current business or residential occupants, and relocation assistance and benefits may

be required which can add substantially to the project cost. Relocation plans and budgets are required of any project that proposes temporary or permanent displacement. See the *AHDP Policies and Procedures* for more information.

OPERATING BUDGET

Operating budgets and 30-year proformas must meet the following criteria:

1. The operating budget must show positive cash flow inclusive of all fees within 18 months of initial rent-up and first year Debt Service Coverage ratio shall not be less than 1.10:1.
2. Include operating and replacement reserves (See Replacement and Operating Reserve Requirements below).
3. Include HCD's Asset Monitoring Fee of $300 per assisted unit per year.
4. 5% annual vacancy/collection loss for family, senior, and preservation projects and 10% annual vacancy/collection loss for special needs projects.
5. 3.5% annual increase for expenses (other than property taxes and replacement reserves deposits) and 2.5% annual increase for income.
6. The operating budget will be reviewed to ensure it is sufficient for proper maintenance and management but is not excessive compared to other similar properties.
7. If the project has a commitment for rental assistance, two operating proformas must be provided, one assuming rental assistance will be renewed and one assuming rental assistance will expire after the initial contract term. Rents must remain restricted per HCD requirements even if the rental assistance is no longer available.
8. Resident services coordination: For rental projects, supportive and social service coordination reasonable for the population being served may be included as a cost paid by building operations. Costs associated with case managers providing more intensive services to the residents may not be paid by building operations. While direct service costs may not be included in a project's operating budget, there may be adjustments to operating costs to consider based on direct service provision, such as property management, staffing or marketing, and leasing.

REPLACEMENT AND OPERATING RESERVE REQUIREMENTS

HCD financing is generally in place far longer than other financing sources. As a result, the owner's ability to maintain and repair the project over the long term is extremely important to HCD.

Exceptions to the stated requirements will be granted in rare cases only. Use of replacement and operating reserves is subject to prior review and approval by HCD.

- Replacement Reserves: See *Affordable Housing Development Loan Terms*, which is incorporated into this RFP by reference, for replacement reserve requirements
- Operating Reserves: See *Affordable Housing Development Loan Terms*, which is incorporated into this RFP by reference, for operating reserve requirements

If a rental subsidy transition reserve is included in the project budget, that transition reserve shall be in addition to the operating reserve minimum described above. The amount of any transition reserve shall be subject to approval by HCD staff.

DEVELOPER FEE POLICY

See *Affordable Housing Development Loan Terms*, which is incorporated into this RFP by reference, for developer fee requirements.

PARTNERSHIP MANAGEMENT AND ASSET MANAGEMENT FEES

See *Affordable Housing Development Loan Terms*, which is incorporated into this RFP by reference, for developer fee requirements.

~~E.~~F. Other Threshold Requirements

SITE CONTROL

At the time a development proposal is submitted, the developer must demonstrate that it has, and will maintain until the land is acquired, site control of the property for which funding is being requested.

Minimum Leasehold Security Requirements: For applications where the applicant/borrower proposes to control the Project land through a long-term ground lease, the provisions of the State's Uniform Multifamily Regulations regarding security apply. Current provisions are available on the State's website: https://www.hcd.ca.gov/grants-funding/already-have-funding/uniform-multifamily-regulations/docs/uniform-multifamily-regulations-2017.pdf (Section 8316)

VALUATION OF DONATED PROPERTY

If land or buildings have been donated for the project, the value of the donated property should be included in the total development cost both as an acquisition cost and as a source of funds. If the property was donated by the County, the value of the donated property will be included when calculating the percentage of County subsidy. The value of the donated property should be documented in, and consistent with, the appraisal. The appraisal must have been completed within 90 days of the date of donation, contribution or transfer.

EVIDENCE OF COMMUNITY OUTREACH

Applicants must submit evidence of community outreach to residents surrounding the proposed development and to relevant community groups and city council members. At a minimum, evidence of community outreach must include documentation that the Community Outreach Plan has been completed or is underway and evidence of such engagement (presentations, flyers, sign-in-sheets, stakeholders contacted, comments received, actions taken).

LAND USE ENTITLEMENTS & ENVIRONMENTAL REVIEW

~~Awardees~~ Applicants must have obtained all land use entitlements from the local jurisdiction in which the project is located by the time of the RFP application due date. Applications must include a description of the project's actual land use approvals and include evidence from the local city planning department of project entitlements.

Projects must have obtained environmental review clearance by the time of the RFP application due date. Awardees must demonstrate that the proposed project has either obtained a California Environmental Quality Act (CEQA) determination, if the project is subject to CEQA, or confirmation from the local jurisdiction's planning division that the project is not subject to CEQA.

For projects that are subject to review under NEPA, please refer to the Federal Requirements section of this RFP.

PHASE I AND II ENVIRONMENTAL ASSESSMENTS

Applications must include a Phase I Environmental Assessment. If recommended by the Phase I Assessment, a Phase II Assessment must be provided prior to HCD issuance of the letter of conditional financing commitment. With the Phase II Assessment, applicants must also provide a discussion of mitigation measures, and the impact of any recommendations on the project budget and schedule.

RESIDENT SERVICES PLAN

The Resident Services Plan for the project should be well defined, identify committed or proposed funding sources (projects with committed funding receive preference), and have an identified service provider that meets minimum qualifications for lead services provider as described in this RFP. A preliminary budget, or sources and uses of funds, should be included. In addition, the applicant must provide an MOU or letter of commitment documenting how the developer, property manager, lead services provider and any other service providers are connected and will work together on the Project.

SUPPORTIVE SERVICES PLAN

For HTCES units and other homeless or special needs populations served by the Project, the Resident Services Plan must include a supportive services plan that includes all of the following:

a) States clearly how many HTCES, special needs and/or other homeless set-aside units there will be in the project and the exact population that will be targeted;
b) Identifies the supportive services provider for each target population.
c) Demonstrates that the essential supportive and social service needs of the tenants of the HTCES units will be met.
d) Includes all information requested in Exhibit 23 - Supportive Services Plan Template, including services budgets, staffing ratio assumptions and outcome metrics.

For projects serving populations that are experiencing homelessness, the project team must agree to follow the State of California's Housing First practices as defined in accordance with California Welfare and Institutions Code (WIC) Section 8255.

CONDITIONS OF HTF RFP FUNDING

HCD staff will be evaluating projects in terms of meeting the RFP key goal of expanding the supply of affordable housing to serve homeless households while considering those projects that are in the best position to move forward to construction and occupancy. It is the County's

intention to fund projects with a high degree of readiness, and which are financially feasible and programmatically viable.

TIMELINE OF HTF RFP COMMITMENTS

The HCD's conditional financing commitments under this HTF RFP are valid for 12 months from date of issuance. All other sources of funds must be committed to the project within that time frame and construction loan closing be initiated. Projects will have up to one year to start construction and up to four years to expend funds.

If HCD's conditional financing commitment period lapses without the commitment of full project financing, the HTF RFP funding commitment will be revoked, and the project must re-compete for funds, if available. Further extensions will only be granted in extraordinary circumstances. The inability to meet a project schedule may also result in negative points for future HCD funding applications.

PROJECT PROGRESS & PERIODIC UPDATES

It is the Project Developer's responsibility to keep HCD staff apprised of all schedules and milestones for the project. Failure to keep HCD staff apprised could mean the loss of funds. Failure to move the project forward in a reasonable way could result in loss of funds for funded projects. Additional submittals will be required prior to loan closing if a project is funded, as well as through the construction period and post-occupancy; these are detailed in the *Affordable Housing Development Program Policies & Procedures* under Part 5-Contracting with the County.

Upon commitment of funds from the HCD, the project sponsor must provide written quarterly updates to HCD and H&H staff regarding the progress of projects on relevant milestones. Quarterly updates will allow HCD staff to anticipate upcoming approvals needed and to stay informed about efforts to move the project forward on schedule.

BOARD OF SUPERVISORS MEMBER MEETINGS

Awardees must notify and invite HCD staff to all meetings with Alameda County Board of Supervisors members or their staff regarding affordable housing development projects. Please ensure enough advance notice is given to housing development staff prior to scheduling any meeting with a member of the Board or their staff.

APPRAISALS

If acquisition is included in the development budget, project sponsors will be required to submit a recent appraisal of the project site and any existing improvements prior to construction loan closing. Appraisals must have been completed within six months of this RFP application submission date. If the property is already owned by the sponsor, appraisals must have been completed within 6 months of its purchase.

Appraisals must conform to the Uniform Standards of Professional Appraisal Practice, in particular Standards 1 and 2. In addition, appraisals must comply with the appraisal requirements of the Appraisal Institute's Regulation 3. All appraisers must be California State

Licensed/Certified. So-called "Letter Appraisals" are not acceptable. A "Self Contained Appraisal Report," per current USPAP guidelines is the minimum acceptable form of appraisal, provided the evaluation includes both improvements and environmental issues, if either is present. The appraisal must include a separate as-is value for any improvements to be retained, or a demolition cost for any to be removed. Similarly, the estimate of environmental costs must be discussed in the appraisal. Site value must be as-is, with no presumed condition such as rezoning or cleanup.

EVIDENCE OF MARKET DEMAND

Projects should be planned and designed according to market demand. Demand for the type, location, and size of units at the proposed rents or sales prices must be documented and such documentation must be provided prior to construction loan closing. Projects that receive HOME funds (or other projects as requested) are also required to submit a complete market study prior to loan closing, according to HUD requirements. ~~A market study, rental survey, recent sales comparables, or an alternative acceptable to HCD must also be submitted, according to the guidelines in the Application Instructions.~~ Market studies should be prepared at the sponsor's expense by an independent individual or firm and follow the guidelines of the California Tax Credit Allocation Committee or of the state Department of Housing and Community Development. Projects that receive HTF RFP funding are required to submit a complete market study to HCD at the time the project submits its tax credit application to CTCAC or its Homekey+ application to CA HCD.

GENERAL LOAN TERMS

All developments seeking County funding in conjunction with the development of new construction affordable housing properties will be subject to the HCD's affordable housing development loan terms and policies. In general, refer to the *Affordable Housing Development Loan Terms* and *AHDP Policies and Procedures*.

If loan terms other than those listed below are sought for a project, the application cover letter must explicitly state the requested terms with a detailed explanation of the reasons you are requesting such terms. Such requests are granted at the sole discretion of the HCD Housing Director.

LOAN ADMINISTRATION

HCD will administer the HTF MFHP RFP funding, including negotiating deal terms and executing County loan documents.

REGULATORY AGREEMENT

Affordability restrictions apply for the full term of the regulatory agreement, regardless of whether another subsidy source (such as Project-Based Voucher Program subsidy) continues to be available. Refer to the *Affordable Housing Development Loan Terms* for further information.

TENANT SELECTION & PROPERTY MANAGEMENT - MARKETING AND MANAGEMENT PLAN

Projects must be marketed in accordance with Alameda County requirements, refer to *AHDP Policies and Procedures* for further detail.

Affirmative Fair Marketing Plans: HCD will require a Fair Marketing Plan for each project to ensure that the target populations, countywide and local resident and workforce populations will be aware of the housing opportunities to the greatest extent possible and that the leasing of the project units will be conducted in such a manner as to provide fair and equal access under the law.

A Marketing and Management Plan must be submitted to HCD for review 180 days prior to construction completion of the project, and a Management Contract (for rental projects) must be submitted to the HCD 90 days prior to construction completion. The Marketing and Management Plan must be approved by HCD prior to commencement of leasing activities, including advertisement of the Project. Contact HCD staff for content and submittal guidance.

- Tenant Screening: To the greatest extent feasible, property owners and managers will use tenant screening tools that screen these vulnerable target populations into the projects rather than rejecting them for tenancy due to conditions associated with their target population status (such as homelessness, disability, re-entry, etc.).
- Immigration Status: All HTF-financed projects shall comply with California law prohibiting landlords from requiring any tenant to state, certify, or represent immigration status to a landlord, unless required by applicable Federal law.
- Application and Waitlist: All HTF-funded units will utilize and participate in the HCD's unified core tenancy point of entry ("Doorway") to the extent that referral system is complimentary to Coordinated Entry.
- Coordinated Entry: Referrals to all HTCES units and any other units reserved for Home Together populations will be made through the Coordinated Entry System or other such referral system as approved by H&H.

INSURANCE

Refer to current County requirements, please visit the Alameda County Risk Management Unit webpage of more information. For more information on insurance requirements, please refer to Appendix E - Alameda County Minimum Insurance Requirements.

All policies must name the County as an additional insured; property insurance must have a lenders loss payable endorsement.

FEDERAL REQUIREMENTS

If the applicant may receive federal funding (such as HOME funds), they will be required to comply with applicable federal statutes and laws, among other local, state, and federal laws. Applicants may refer to the AHDP Policies and Procedures for more detail about federal requirements.

COUNTY REQUIREMENTS

NONDISCRIMINATION/EQUAL EMPLOYMENT PRACTICES

All applicants must agree not to discriminate on the basis of race, color, ancestry, national origin, religion, sex, gender, sexual orientation, gender identity or expression, creed, age (except lawful senior housing), marital status, family status (presence of child under age of 18 and pregnant women), source of income, physical or mental (including cognitive, developmental or emotional) disability, Acquired Immune Deficiency Syndrome (AIDS) or AIDS-related conditions (ARC), immigration status, any arbitrary basis, or any other status protected by federal, state or local law.

CERTIFICATIONS AS TO CONFLICTS OF INTEREST

As part of the application, applicants are required to make certain certifications relating to the representation of the project and the project sponsor in the RFP application and applicants' compliance with federal, state, and local laws.

VII. Rating and Ranking Evaluation Criteria

HCD will rate and rank project applications that have passed the Minimum Threshold requirements using the ***Rating and Ranking Evaluation Criteria*** contained in **Appendix C**. The summary table below provides, for each criterion, the maximum number of available points as well as the system of assigning points.

Evaluation Criteria	**Maximum Points Score**
Readiness	**80**
• Competitiveness for State Resources • Funding Commitments • Leveraging • Cost Efficiency • Feasibility of Development Plan	
Neighborhood Services & Amenities	**6**
• Proximity to Services Serving Assisted Units and Other HT populations • Proximity to public transportation • Proximity to grocery, farmers' market or healthcare access	
Development Team Experience and Capacity	**30**
• Developer experience exceeds minimum • Strength of Development Team and Development Staffing Capacity	
Quality of Services and Operations Plan	**50**
• Experience of Supportive Services Provider • Experience of Property Manager with Target Population • Quality of Supportive Services Plan and Coordination: o Comprehensiveness of Resident Supportive Services Plan for the Project and MOU o Appropriate services staffing levels to target population o Reasonableness of property management staffing levels o Provision of training to property management and services staff o Comprehensive services and property management coordination o Tenant outcomes beyond those required as threshold o Reasonableness of supportive services budget	
Total Possible Points:	**166**
Penalties for Application Quality & Nonperforming Projects	**-15**

Geographic Distribution: After rating and ranking RFP applications, HCD and H&H reserve the right to consider the overall geographic distribution in order to achieve alignment with the Home Together Plan and Home Together Fund in recommending projects for funding from this RFP.

VIII. Protest/Appeals Process

HCD will abide by the following appeals policy. For the purposes of this section, applicants will be referred to as 'proposers', appeals will be referred to as 'protests' and applicants who have submitted appeals will be referred to as 'protestors'.

A. HCD prides itself on the establishment of fair and competitive contracting procedures and the commitment made to follow those procedures. The following is provided in the event that proposers wish to protest the selection process or appeal the recommendation to award a contract once the Notices of Intent to Award/Non-Award have been issued. Protests submitted prior to issuance of the Notices of Intent to Award/Non-Award will not be accepted by the County.

B. A protest of the award notice by a proposer must be submitted in hard copy to Michelle Starratt, HCD Director, 224 W. Winton Avenue, Room 108, Hayward CA 94544 or by email to HCDRFP@acgov.org **before 5:00 p.m. of the FIFTH (5th) business day following the date of issuance of the Notice of Intent to Award by email, NOT the date received by the Bidder of a hard copy mailed through the US postal service**. A protest received after 5:00 p.m. is considered received as of the next business day.

C. Protests must be based on threshold determination or the points awarded to the protestor's application under the evaluation criteria. Protests may not be based on subjective criteria.

D. The protest must contain a complete statement of the basis for the protest, including the rationale and underlying facts supporting the protest.

E. The protest must refer to the specific portions of all documents that form the basis for the protest.

F. The protest must include the name, address, email address, fax number and telephone number of the person representing the protestor, which will be used for communicating about the protest with the protestor regarding the protest.

G. HCD will transmit a copy of the protest to all proposers as soon as possible after receipt of the protest.

H. Upon receipt of written protest, the HCD Director, or designee will review and evaluate the protest and issue a written decision. The HCD Director may, at her discretion, investigate the appeal, obtain additional information, and provide an opportunity to settle the protest by mutual agreement and/or schedule a meeting with the protesting proposer and others, as appropriate, to discuss the protest.

    1. The decision on the protest will be issued at least ten (10) business days prior to the first County Committee scheduled to hear recommendations. If additional levels of

protest are received, the anticipated meeting date at which the recommendations will be heard may be altered.

2. The decision will be issued by e-mail and U.S. Postal Service to the protestor and will inform the protestor whether the recommendation to the Board of Supervisors in the Notice of Intent to Award is going to change. A copy of the decision will be furnished to all proposers affected by the decision. As used in this paragraph, a proposer is affected by the decision of a protest if a decision on the protest could have resulted in a change in the recommendation in regards to their application.

I. The decision of the HCD Director on the protest may be appealed to the County's GSA–Office of Acquisition Policy, ATTN: Contract Compliance Officer, located at 1401 Lakeside Drive, 10th Floor, Oakland, CA 94612, Fax: (510) 208-9720, before 5:00 p.m. of the FIFTH (5th) business day following the date the decision is communicated by the HCD Director (not the date the communication is received by the protestor). A protest received after 5:00 p.m. is considered received as of the next business day. A protest received after the FIFTH (5TH) business day following the date of issuance of the decision by the HCD Director shall not be considered under any circumstances by the GSA.

1. In reviewing protest appeals, GSA will not re-judge the proposal(s). The protest to the OCCR shall be limited to review of the procurement process to determine if the contracting department (HCD) materially erred in following the RFP or, where appropriate, County contracting policies or other laws and regulations.

2. The protest must contain a complete statement of the reasons and facts for the protest.

3. The protest must refer to the specific portions of all documents that form the basis for the protest.

4. The protest must include the name, address, e-mail address, fax number and telephone number of the person representing the protesting party.

5. The County Agency/Department will notify all protestors of the protest as soon as possible.

J. Upon receipt of written protest, GSA–Office of Acquisition Policy, or designee will review and evaluate the protest and issue a written decision. The GSA–Office of Acquisition Policy, may, at its discretion, investigate the protest, obtain additional information, provide an opportunity to settle the protest by mutual agreement, and/or schedule a meeting(s) with the protestor and others (as appropriate) to discuss the protest. The decision on the protest will be issued at least ten (10) business days prior to the first County Committee scheduled to hear recommendations. If additional levels of protest are received, the anticipated meeting date at which the recommendations will

be heard may be altered. The decision will be communicated by e-mail, fax, or US Postal Service mail, and will inform the protestor whether or not the recommendation to the Board of Supervisors or GSA in the Notice of Intent to Award is going to change. A copy of the decision will be furnished to all Bidders affected by the decision. As used in this paragraph, a Bidder is affected by the decision on a protest if a decision on the protest could have resulted in the Bidder not being the apparent successful Bidder on the RFP.

K. The decision of the GSA–Office of Acquisition Policy on the protest may be appealed to the Auditor- Controller's Office of Contract Compliance & Reporting (OCCR) located at 1221 Oak St., Room 249, Oakland, CA 94612, Fax: (510) 272-6502 unless the OCCR determines that it has a conflict of interest in which case an alternate will be identified to hear the protest and all steps to be taken by OCCR will be performed by the alternate. The protestor whose Bid is the subject of the protest and all Bidders affected by the GSA–Office of Acquisition Policy's decision on the protest has the right to appeal if not satisfied with the GSA–Office of Acquisition Policy's decision. All protests to the Auditor-Controller's OCCR shall be in writing and submitted within five (5) business days following the issuance of the decision by the GSA-Office of Acquisition Policy, not the date received by the protestor. A protest received after 5:00 p.m. is considered received as of the next business day. A protest received after the FIFTH (5TH) business day following the date of issuance of the decision by the GSA Office of Acquisition Policy shall not be considered under any circumstances by the GSA or the Auditor-Controller OCCR.

1. In reviewing protest appeals, the OCCR will not re-judge the proposal(s). The protest to the OCCR shall be limited to review of the procurement process to determine if the contracting department materially erred in following the Bid or, where appropriate, County contracting policies or other laws and regulations.

2. The protest shall specify the decision being appealed and all the facts and circumstances relied upon in support of the protest.

3. The protest to the OCCR also shall be limited to the grounds raised in the original protest and the decision by the GSA-Office of Acquisition Policy. As such, a protestor is prohibited from stating new grounds for a protest in its protest. The Auditor-Controller (OCCR) shall only review the materials presented to, the process of and conclusions reached by the GSA-Office of Acquisition Policy or department designee and will determine whether to uphold or overturn the protest decision.

4. The Auditor's Office may overturn the results of a bid process for ethical violations by Procurement staff, County Selection Committee members, subject matter experts, or any other County staff managing or participating in

the competitive bid process, regardless of timing or the contents of a bid protest.

5. The decision of the Auditor-Controller's OCCR is the final step of the appeal process. A copy of the decision of the Auditor Controller's OCCR will be furnished to the protestor, the Bidder whose Bid is the subject of the Bid protest, and all Bidders affected by the decision.

6. The County will complete the Bid protest/appeal procedures set forth in this paragraph before a recommendation to award the Contract is considered by the Board of Supervisors.

7. The procedures and time limits set forth in this paragraph are mandatory and are each Bidder's sole and exclusive remedy in the event of Bid Protest. A Bidder's failure to timely complete both the Bid protest and appeal procedures shall be deemed a failure to exhaust administrative remedies. Failure to exhaust administrative remedies, or failure to comply otherwise with these procedures, shall constitute a waiver of any right to further pursue the Bid protest, including filing a Government Code Claim or legal proceedings.

IX. List of Appendices

Appendix A - Application Instructions

Appendix B - Alameda County Affordable Housing Development Loan Terms

Appendix C - HTF RFP Evaluation Criteria

Appendix D - 2025 Income and Rent Limits

Appendix E - Alameda County Minimum Insurance Requirements

Appendix F – List of Exhibits

Appendix G – Local Housing Subsidy Program Framework

Home Together Fund: Multifamily Homelessness Solutions

2025 New Construction Request for Proposals (RFP)

Application Instructions for Housing Development Financing

County of Alameda

Department of Housing and Community Development

AC Health Department of Housing and Homelessness Services

Application Submission Requirements

Developers requesting County of Alameda funds under this RFP must submit a complete application and include all supporting documentation.

Applications must be submitted electronically through the online form set up by the Department of Housing and Community Development (HCD) and the OneDrive application materials folder.

Applications must be received by HCD no later than 12:00 p.m., on Monday, December ~~18~~8, 2025. Applications submitted after this deadline will not be accepted.

The online application form will be "live" starting October 27, 2025. Applicants can begin to enter information in the electronic application at this time.

The Application must be prepared using the County's forms, template exhibits, and electronic workbooks provided as part of this Request for Proposals (RFP). The forms and workbooks are available for download with the rest of the application at: https://www.achcd.org/funding-opportunities/.

The applicant is responsible for uploading their project's completed forms and electronic workbooks to the online application form and completing any other requested information in the application.

- Responses to this RFP should be organized as indicated in the Checklist of these Application Instructions.
- Please submit an original signed Certifications Form (Checklist Item #1~~4~~6) for the developer, including all joint venture general partners.

Applicants are encouraged to carefully review their application materials prior to submittal and to allow time to confirm that their application submittal has been uploaded online. Applications that are deemed incomplete or that do not comply with County minimum threshold requirements will be rejected.

Applicants should understand that, under the California Public Records Act, **all documents submitted as part of the application are considered public records and will be made available to the public upon request**.

Two Step Application Process

You may access the Summary Applicant Information Form here. There is no password or user ID required to access the application. After filling out the Applicant Information Form, you will receive a link to a OneDrive folder to upload the application materials. The link will be emailed to the developer contact email address that the applicant provides on their Application Information Form. **We strongly suggest that if you intend to apply, you fill out the Applicant Information Form in advance of the application due date.**

RFP Mandatory Bidder's Conferences

Applicants are required to attend one of two Bidder's Conferences:

- October 30, 10 am – 12 pm
- November 4, 10 am – 12 pm

Please refer to the RFP for further information on how to access and register for the Mandatory Bidders' Conferences. Both meetings will be held via video conference and will be recorded.

Housing Development Financing Application Checklist

Complete the checklist as the Table of Contents for your Application via the HTF RFP Application Checklist.

Applicant:

Project:

Project Address:

	A	**FOR COUNTY USE**	
ITEMS TO BE SUBMITTED	Check if Enclosed	Date Rec'd	Complete Y/N
PROJECT BASELINE INFORMATION			
1. Summary Application Information			
2. Narrative Cover Letter			
3. Self-Scoring Worksheet			
4. State Financing Application			
THRESHOLD INFORMATION			
5. Letter of Support for Project from City			
6. Evidence of Site Control			
7. Replacement Unit Analysis			
8. Relocation Plan and Budget (if required)			
9. Community Outreach Plan and Activities			
10. Match			
11. Land Use and CEQA Approvals			
12. Phase I Environmental Site Assessment			
12a. Phase II (if required)			
13. Development Schedule			

	A	FOR COUNTY USE	
14. Required Certifications and Acknowledgement			

	A	FOR COUNTY USE	
ITEMS TO BE SUBMITTED (in separately tabbed sections)	Check if Enclosed	Date Rec'd	Complete Y/N
PROJECT FEASIBILITY & SCORING CRITERIA			
15. Development Budget			
16. Operating Budget			
17. 15 Year Proforma Cash Flow			
18. Unit Size and Affordability Worksheet			
19. Competitiveness for State Housing Resources			
20. Financial Summary Worksheet			
21. Neighborhood Services and Amenities			
22. Location Map			
23. Resident Services Plan and Service Provider MOUs			
24. Resident Services Plan Budget			
25. Evidence of Supportive Services Funding Commitment			
26. Project Ownership Entity Organizational Documents			
27. Developer Experience Worksheets			

	A	FOR COUNTY USE	
ITEMS TO BE SUBMITTED (in separately tabbed sections)	Check if Enclosed	Date Rec'd	Complete Y/N
28. Joint Venture Agreement			
29. Developer Capacity Worksheet			
30. Resumes of the Developer's Key Staff			
31. Resumes and Experience of Other Members of the Development Team			
OPTIONAL			
32. Developer Local Government References			

County of Alameda

Department of Housing and Community Development

Application for County of Alameda Housing Development Financing

Complete the Summary Application Information Forma and upload each of the following exhibits to the OneDrive folder.

EXHIBITS 1-4: Project Baseline Information

1. ***State Financing Application Workbook & Summary Application Information***

To apply for project financing under this RFP, applicants must enter the requested information through the State Financing Application Workbook, described below, and Summary Application Information Form using the formats and exhibits requested. All templates and exhibits are available through the HCD website. Applicants should access the most recent version of the applicable State Financing Application Workbook from the CTCAC or CA HCD Homekey+ Program website.

2. ***Narrative Cover Letter***

Applications must include a narrative cover letter that provides a basic description of the project. Upload via the OneDrive folder. The cover letter should include but is not limited to the following:

Summary Information

- Amount of HTF capital and/or COSR requested
- Total financing gap
- Total Number and size of units (number of bedrooms) and number and size of requested HTCES units
- Target population(s) served
- Location
- Total development cost
- Any desired variance in standard loan terms
- Description of proposed financing plan (including commercial space financing if mixed use)
- Description of the land use approval pathway (such as discretionary or by right)
- Description of any innovative strategies being deployed to contain development costs, e.g. manufactured units, etc.

Site Information

- Current use of site
- Distinguishing features
- Any environmental issues

Physical Characteristics

- Type of construction
- Number of stories
- Architectural style
- Distinguishing features
- Location, type and number of parking spaces
- On- and off-site improvements required

Amenities and Services

- Common facilities and amenities, including computer technology
- The extent to which the project design addresses the needs of the Home Together population, including space for the provision of supportive services
- Resident services programs

3. Self-Scoring Worksheet

Applicants are required to enter their self-scores and provide a written detailed explanation of how the applicant derived the score for each scoring category. Applicants should not assume that their self-score estimate will be the actual score that will be achieved.

Please enter the project self-score information in Exhibit 3 - Self-Scoring Workbook. If additional space is needed to provide a detailed explanation, applicants may upload that as a separate document to the OneDrive folder.

4. State Financing Application

Applicants are required to upload a complete and current project application for state funding such as for 4% or 9% tax credits from the State of California Tax Credit Allocation Committee or for gap financing from the State of California Homekey+ Program, as appropriate based on the project's proposed financing plan (the "State Financing Application"). The applicant's State Financing Application must be fully completed and reflect the requested HTF RFP funding request as well as the proposed HTCES unit information. For HK+ applications, only new construction of permanent housing is eligible for the funds available under this RFP. Acquisition and rehabilitation projects will not be considered for funding in this RFP round.

EXHIBITS 5-14: Threshold Information

5. Letter of Support from Local Jurisdiction

The developer must submit a letter from the local jurisdiction indicating support for the project. The letter may come from the city's City Manager/City Administrator or their designee.

6. Evidence of Site Control

At the time a development proposal is submitted, the developer must demonstrate that it has site control for the property for which funding is being requested and will maintain site control until the land is acquired. Complete the requested Site Control information in the State Financing Application Workbook. In the OneDrive folder, upload one of the following demonstrating site control:

- Grant deed evidencing fee title ownership
- Purchase agreement, including evidence that the agreement is of a term sufficient to hold the property until the anticipated date of purchase
- Option to purchase or lease, including evidence that options are renewable until the start of construction
- Long term lease agreement
- Executed land sales contract or other enforceable agreement for acquisition
- Exclusive Negotiating Agreement, Lease Disposition and Development Agreement, or Disposition and Development Agreement with the local jurisdiction, or other public entity.

7. Replacement Unit Analysis

If any of the current site use is residential or your project involves demolition of existing residential structures, even if units are currently vacant, complete Exhibit 7 - Replacement Unit Analysis Worksheet according to the current uses (i.e. existing unit mix) and not the proposed uses.

8. Relocation Plan and Budget (if required)

Upload a plan and a budget to the OneDrive folder if the project involves temporary or permanent relocation of residential or commercial tenants. Also provide a narrative Relocation Plan, Timeline and a detailed Relocation Budget. If the proposed project is financed with federal funds, the provisions of the Uniform Relocation Act will apply. Additional federal and/or state relocation requirements may also apply. If the project is financed with non-federal public funds, State relocation requirements contained in California Government Code 7260, et seq., and implementing regulations, may apply.

Developers considering a project which may result in temporary or permanent displacement should contact HCD staff at the earliest date possible for assistance in relocation matters. Proper notice to current and future occupants can reduce the cost of relocation.

9. Community Outreach Plan and Activities

Upload Evidence of Community Outreach demonstrating that the threshold requirements for community outreach have been completed prior to applying for funding. Refer to the RFP for guidance.

10. Match Contribution

Applicants must provide evidence of the project's match commitment from the city in which the project is located. Please refer to the RFP for guidance.

11. Land Use Entitlements & Environmental Review

Upload electronically a description of the project's actual land use approvals and include evidence from the local city planning department of project entitlements.

Upload electronically evidence that the proposed project has either obtained a California Environmental Quality Act (CEQA) determination, if the project is subject to CEQA, or confirmation from the local jurisdiction's planning division that the project is not subject to CEQA.

If the proposed project is subject to NEPA, include information regarding the source that triggers NEPA, the responsible entity completing review and the status and timeframe of NEPA clearance.

12. Phase I Environmental Site Assessment

Upload electronically the Executive Summary and other narrative pages which summarize the findings and recommendations of the Phase I Environmental Site Assessment. *Do not provide the entire Phase I report.* The entire Phase I report may be requested at a later date. Assessments should be dated within the last year. For projects involving rehabilitation or demolition, an assessment of lead-based paint and asbestos hazards should be provided.

12a. Phase II Environmental Site Assessment

If the Phase I ESA recommends a Phase II Environmental Site Assessment or any other follow-up evaluation, that documentation must be provided in the application and uploaded via the OneDrive folder. With the Phase II Assessment, please include a discussion of the impact of any recommendations on the project design, budget, and schedule.

13. Development Schedule

Complete the project development schedule in the State Financing Application Workbook.

14. Required Certifications and Acknowledgements

Upload a complete and executed **Exhibit 14** - Certifications and Acknowledgements. If applicant is a joint venture, all joint venture members are required to complete and execute Exhibit 14.

More information on the County's Workplace and Employment Standards requirements can be found on the HCD website, https://www.achcd.org/community-partners/contracting-with-hcd/.

EXHIBITS 15-32: Project Feasibility and Scoring Criteria
RFP State Financing Application Workbook:

Projects must complete and upload one (1) State Financing Application Workbook to provide development sources and uses, operating budget, cash flow, unit and affordability mix and other key project date. Upload to the OneDrive folder.

15. Development Budget

Applicants must include the development budget via the State Financing Application Workbook and upload to the OneDrive folder.

16. Operating Budget

Applicants must include the operating budget via the State Financing Application Workbook and upload to the OneDrive folder.

17. 15 Year Proforma

Applicants must include the project's 15-year cash flow via the State Financing Application Workbook. Refer to the RFP for guidance regarding operating assumptions.

18. Unit Size and Affordability Worksheet

Applicants must include the project's Unit Size and Affordability information via the State Financing Application Workbook. Provide information on the Unit Size and Affordability based on the proposed restricted rents.

19. Competitiveness for State Affordable Housing Resources

Upload via the OneDrive folder all documentation describing how the project is strategically positioned to successfully compete for State funding resources, including funding from the CTCAC, CA Debt Limit Allocation Committee and Department of Housing and Community Development. For tax credit projects, applicants must calculate their tax credit tiebreaker score pursuant to CTCAC guidelines and applicants must submit supporting documentation with their RFP application, as appropriate. Please note that applicants must submit the completed excel version of the State Financing Application that is applicable to their project.

The State Financing Application must be fully completed and updated to reflect current financing plans including the applicant's request under this RFP.

- In addition to the State Financing Application, upload to the OneDrive folder a written narrative describing the feasibility of the financing plan, including tax credit

equity pricing assumptions, and why the project has a high chance of successfully receiving other primary sources of competitive financing.

- If the project intends to apply to the 2024 HK+ NOFA, please indicate whether the applicant has had their CA HCD pre-consultation meeting and why the project is well positioned to compete for HK+ award.

20. Financial Summary Worksheet

Applicants must include a summary of the project's financing, inclusive of construction, acquisition/predevelopment, permanent sources and any public rental or operating subsidies via the State Financing Application Workbook and upload to the OneDrive folder.

To score points for committed funding, upload evidence of enforceable financing commitments for each financing source, including any contributed General Partner equity and deferred developer fee. A *Letter of Interest* is not considered an enforceable commitment.

For a commitment to be considered enforceable, it must:

1) be in writing, stating the essential terms of the financing; and
2) be subject only to conditions within the control of the applicant, but for obtaining other sources such as HTF RFP financing; and
3) be executed by an authorized officer of the grantor, lender (other than a mortgage broker), or other agency providing the commitment or award.
4) For all private lenders, all commitment letters must explicitly state the lender will subordinate to the County's Regulatory agreement.

If private funding commitments contain language requiring that the County's regulatory agreement be subordinated, they will not receive points.

If land or buildings will be donated, the value of the donation should be included as an acquisition cost, and as a source of funds in the Financial Summary of the State Financing Application Workbook.

Rental or Operating Subsidies

The State Financing Application Workbook must list all committed sources of rental or operating subsidies as well as any requested HTF COSR or other sources, including the number of units assisted, the annual subsidy amount and the contract term of the annual subsidy.

The RFP application must include all appropriate tenant-paid rent and rental subsidy information such that the total subsidy/rent differential is accurate and can be reflected in 15 Year Cash Flow for the appropriate subsidy contract term.

21. Neighborhood Services and Amenities Description

Applications must include a narrative that provides the following information about the Project. Upload to the OneDrive folder.

- Availability of and proximity to services that meet the needs of the Home Together eligible populations of the project.
- Availability of and proximity to public transportation options available to serve the project.
- Availability of and proximity to a full-service grocery store, farmers' market, qualifying medical clinic as defined by CTCAC, or pharmacy.

22. Location Map

Upload a location map that includes transit lines/stations/transfer points and major neighborhood services (e.g. full-service grocery stores, farmers' market, qualifying medical clinic, pharmacy, and/or schools and community/recreation centers that serve target population). The map should clearly indicate the amenities, and transit stops in the project proximity for which the applicant is requesting points The map should provide a key with relevant distances, peak frequency headways and transit stop types, as well as street addresses for amenities, on a separate sheet.

23. Resident Services Plan and Service Provider MOU

Please upload the Resident Services Plan, including the Technology Plan, and any MOUs with service providers to the OneDrive folder. Refer to the "Resident Services Plan" in the Threshold and Underwriting Requirements section of the RFP for additional information regarding the thresholds and recommended best practices for Resident Services Plans.

Also upload the Supportive Services Plan for the project. Refer to the RFP for additional guidance as well as **Exhibit 23 – Supportive Services Plan Template** for more information.

24. Supportive Services Plan Budget Template

Please complete and upload **Exhibit 24- Supportive Services Plan Budget Template** to the OneDrive folder. The Supportive Services Plan Budget should indicate the positions funded, budget amount and FTE% for each position that will support HTF units in your project. Costs associated with providing services in non-HTCES units should not be included in the budget.

25. Evidence of Supportive Services Funding Commitment

Upload evidence of the project's preliminary commitment for supportive services from the AC Health Department of Housing and Homelessness Services to the OneDrive folder. The evidence of a commitment for supportive services should also indicate the entity that will be providing the services for the project.

26. Project Ownership Entity Organizational Documents

Please upload organizational documents for the project ownership entity to the OneDrive folder.

27. Developer Experience Worksheets

To establish developer qualifications per the RFP, all applicants must provide the information requested in Exhibit 26 – Developer Experience Worksheets for all projects for which the developer is claiming experience under the RFP criteria and the *AHDP Policies and Procedures.* Upload completed worksheets to the OneDrive folder.

28. Joint Venture Agreement

If the applicant is a joint venture, the applicant must submit their joint venture agreement. Upload the agreement and any related documentation to the OneDrive folder. Refer to *Developer Standards in the AHDP Policies and Procedure*s for requirements pertaining to joint ventures.

29. Developer Capacity Worksheet

Provide the requested developer capacity information for project staff, including all joint venture partners and development consultants, of the proposed project and complete **Exhibit 28 – Developer Capacity Worksheet.** Please submit electronically to the OneDrive folder.

30. Resumes of the Developer's Key Staff

Upload resumes for the developer's key staff, including members of the joint venture team and any development consultants, if applicable, that will be assigned to the proposed project. See *Developer Standards* in the *AHDP Policies and Procedures* for specific requirements. Please upload to OneDrive folder.

31. Resumes and Experience of Other Members of the Development Team

Upload documentation to include resumes for the indicated Development Team Members to the OneDrive folder that have been selected and identify from the list below.

_____ Developer, if different from applicant

_____ Architect(s)/Engineer(s)

_____ Attorney(s) and/or Tax Professionals

_____ Property Management Agent

_____ Financial and Other Consultant(s)

_____ General Contractor

_____ Lead Service Provider

_____ Supportive Services Provider, if different that Lead

For each Team Member other than the developer, provide the following supplemental information. See the RFP and the ***AHDP Policies and Procedures*** for specific requirements for each type of participant.

32. Developer Local Government References (Optional)

The development team may provide references from local governments in Alameda County where they have successfully completed projects previously. Upload any letters of reference to the OneDrive folder.

Appendix B -Alameda County Affordable Housing Development Loan Terms

Key Terms for Alameda County
Affordable Rental Housing Development Loans

These are Alameda County Housing and Community Development Department's Key Terms for the Affordable Housing Development Program. These Key Terms do not represent all requirements of the County funding. For additional detail, please see the Alameda County HCD Affordable Housing Development Program Policies and Procedures, Request for Proposals and Loan Documents available on HCD's website at: https://www.acgov.org/cda/hcd/ *that includes the following:*

- Contract (must be approved at a Board of Supervisors meeting)
- Loan Agreement
- Regulatory Agreement
- Promissory Note
- Deed of Trust

Term	In general, a 59-year loan term and regulatory period is required for affordable housing projects funded by HCD. This term has, on occasion, been reduced with the Housing Director's approval to 55 years in tax credit projects, when borrower's counsel justifies the reduction due to tax credit requirements. The term begins as of the date of initial occupancy, which can be set by either the Certificate of Occupancy or by the first occupancy of the building as reported in the closeout report.
Interest Rate	3% simple interest, owed as of the date of disbursement unless the Promissory Note indicates otherwise.
Payments	1. HCD loan may be amortized over a 59-year period, with equal payments throughout the term (amortized loan); or 2. In special needs projects that serve Extremely Low-Income Households, payments may be deferred, at the Housing Director's discretion, in order to make the project financially feasible; or 3. HCD loan may be repaid through a proportionate share of residual receipts. HCD may allow the General Partner of the borrower partnership to retain up to 50% of the residual receipts as an "Incentive Management Fee" but may restrict this to only 25% if there are soft lenders in addition to HCD sharing repayment from residual receipts. Should the Partnership Agreement not allow the GP to keep the full amount of the Incentive Management Fee, HCD will require

	that the amount of the soft lender share of residual receipts be increased to capture those funds.
Security	Deed of Trust recorded against fee title or leasehold interest.
Deed Restrictions	The County Regulatory Agreement must be recorded against the fee interest on the property and in senior lien position to bank loan documents. The County's Regulatory Agreement includes nondiscrimination based on the source of a tenant's income.
Income Restrictions	Income restrictions on units are based on the funding source invested in the project. All of the County units will be restricted at 50% or below the Area Median Income, with exceptions granted based on feasibility. The Regulatory agreement includes language that requires acceptance of rental assistance programs like Housing Choice Vouchers. The regulatory agreement will provide specific details. The number of units restricted is determined by the amount of the County loan and type of funds.
Rent Increases	Rent increases are subject to the requirements of the funding source(s) invested in the project. Rent may be increased by not more than 5% annually (unless approved in writing by the Housing Director in advance of the increase).
Replacement Reserve	0.6% of the replacement cost of the structure annually, up to $600 per unit for family developments and $500 per unit for senior developments. These amounts may change annually as part of the RFP process to reflect updates or changes to State HCD program requirements.
Operating Reserve	Three months of operating expenses must be capitalized at conversion. Developers must make payments in schedule approved by the County until the reserve reaches 6 months of operating expenses. The operating reserve must be maintained at the level of six months of operating costs and must-pay debt service during the term of the Regulatory Agreement. A larger deposit is encouraged.

Developer Fees	For tax credit projects: Developer fees will be set to be in conformance with the State Tax Credit program. The maximum developer fee that may be included in project costs and eligible basis for both 4% and for 9% tax credit projects shall not exceed the maximum allowed under CTCAC Regulations (see CTCAC Regulations Section 10327), as those regulations may be updated from time to time. In determining the allowable costs included in the developer fee, sponsors shall use the definition of Developer Fee per the CTCAC Regulations. Please note HCD reserves the right to further reduce the Developer Fee in its sole discretion. Developer fees are contingent upon satisfactory completion of the project. Where project costs exceed the approved budget, developers will be required to contribute a portion of the developer fee toward the excess costs. Deferred Developer Fees: Any deferred developer fees shall be paid from the developer/sponsor's Incentive Management Fee. Any interest on deferred developer fees shall also be payable from the Incentive Management Fee. Contributed Developer Fees: The inclusion of contributed General Partner equity to increase tax credit basis and equity is allowable, as permitted by tax counsel, lenders and investors. Non-tax credit projects: In the event a project is not using tax credits, the developer fee will be negotiated with HCD based on existing policies and reasonable developer fees that are commensurate with similar programs given the project type and complexity.
Retention	HCD will require a retention of $125,000 or 15% of loan amount, whichever is less, with a minimum of $50,000. This will be budgeted from the developer fee and held as a performance retention, to be paid upon completion of construction and delivery of loan close out items.
Incentive Management Fee	HCD may allow the General Partner of the borrower partnership to retain up to 50% of the residual receipts as an "Incentive Management Fee" but may restrict this to only 25% if there are soft lenders in addition to HCD sharing repayment from residual receipts. Should the Partnership Agreement not allow the GP to keep the full amount of the Incentive Management Fee, HCD will require that the amount of the soft lender share of residual receipts be increased to capture those funds.
Asset/Partnership Management Fees	A Partnership Management fee is allowed to be paid annually to the General Partner of a tax credit project until expiration of the tax credit compliance period. An Asset Management fee is allowed to be paid annually to the General Partner and/or Limited Partner/investor of a

	tax credit project until expiration of the tax credit compliance period. The combined Partnership and Asset Management annual fees paid for tax credit projects should not exceed $34,000 and may increase at up to 3.5% per year from the placed-in-service date. Asset Management fees that are paid to the developer/project sponsor after expiration of the tax credit compliance period through the duration of operations of the project or that are for projects without tax credits may not exceed $12,500 per year. Partnership Management and Asset Management fees may only be paid from project cash flow after debt service and deposits to reserves. Any fee amounts in excess of these maximums, and any deferred or accrued partnership/asset management fee can only be paid from the Incentive Management Fee.
Loan Fees	HCD may charge a loan closing fee.
HCD's Costs	Borrower (or Project) to pay for required 3rd party environmental review (NEPA/CEQA), HCD's legal costs associated with development and execution of project legal documents, wage monitoring associated with the project, and construction management costs associated with overseeing the progress of construction.
Monitoring Fees	HCD will charge a monitoring fee for each HCD-restricted unit. The current fee is $300 per restricted unit per year.
Insurance Minimums	1. Workers Compensation: to the extent required by law, including Employer's Liability coverage, at least $1,000,000 each accident 2. Commercial General Liability: $2,000,000 per occurrence 3. Commercial Automobile Liability: $1,000,000 per occurrence 4. Directors and Officers Liability: $1,000,000 per occurrence 5. Builder's Risk/Property: 100% of property replacement value 6. Commercial Crime: covering all officers and employees, for loss of HCD loan proceeds caused by dishonesty 7. Borrower must ensure that any general contractor or subcontractors maintain the insurance in #1-3 in the amount of $1,000,000 each.

	8. Commercial General Liability and Automobile Liability insurance policies must be endorsed to name as an additional insured HCD, and its officers, agents, employees and members of the County Board of Supervisors. The County updates these requirements from time to time. Please visit the Alameda County Risk Management Unit webpage for more information.
Records	Records related to Alameda County loans used to fund construction or rehabilitation of low-income housing, including individual homeowner loans and affordable housing rental developments, must be kept for the length of time the property is restricted plus 6 years. Records must be maintained for the length of time required by Federal requirements, or such longer period as required by applicable regulations
Reports	1. Quarterly progress reports required during construction and with any invoice; 2. Quarterly reports required during the first year of operations, starting from certificate of occupancy; 3. Annual Reports required (within 180 days of the end of the fiscal year) after the first year and for the term of the loan.
Change Orders	For construction period loans, construction change orders are subject to HCD's approval.

Subcontracts	1. Contractor must submit proof that subcontractors are not debarred prior to construction loan closing. 2. HCD requires competitive bidding for all subcontractors- but not for professional service contracts.
Construction Contingency	1. ***New Construction***: 10% required at initial application but can drop down to 5% remaining after construction bids are known. 2. ***Rehab***: 15% construction contingency required.
Hiring	The County's loan may trigger Davis Bacon and/or Prevailing Wages, and First Source requirements may be triggered. If Borrower or its contractors and subcontractors create jobs due to the procurement of the County contract, they must follow certain requirements that are detailed in the County contract (i.e. First Source Program requirements and Federal Section 3 requirements). If prevailing wages are required by law, the Developer will be responsible for ensuring compliance with the labor code and for hiring a prevailing wage monitor, approved in advance by HCD, for the benefit of both Developer and the County.
Subordination	HCD will not accept standstill provisions or enter into a standstill agreement requested by senior lenders that prohibits HCD from exercising remedies during a specified period after a default

Appendix C - RFP Evaluation Criteria

Summary of Scoring Criteria

Evaluation Criteria	Maximum Points Score
Readiness • Competitiveness for State Resources • Funding Commitments • Leveraging • Cost Efficiency • Feasibility of Development Plan	**80**
Neighborhood Services & Amenities • Proximity to Services Serving Assisted Units and Other HT populations • Proximity to public transportation • Proximity to grocery, farmers' market or healthcare access	**6**
Development Team Experience and Capacity • Developer experience exceeds minimum • Strength of Development Team and Development Staffing Capacity	**30**
Quality of Services and Operations Plan • Experience of Supportive Services Provider • Experience of Property Manager with Target Population • Quality of Supportive Services Plan and Coordination: o Comprehensiveness of Resident Supportive Services Plan for the Project and MOU o Appropriate services staffing levels to target population o Reasonableness of property management staffing levels o Provision of training to property management and services staff o Comprehensive services and property management coordination o Tenant outcomes beyond those required as threshold o Reasonableness of supportive services budget	**50**
Total Possible Points:	**166**
Penalties for Application Quality & Nonperforming Projects	**-15**

Scoring Criteria

I. Readiness, Financial Feasibility, and Leveraging Potential (80 *points*)

A. Competitiveness for State Housing Resources *(30 max points)*

Due to an increasingly competitive environment for State affordable housing resources, and especially for tax exempt bonds, HCD is evaluating projects for their ability to successfully compete for State resources in the coming year. Projects can receive up to 30 points in this subcategory. For projects ~~that receive maximum points~~ within each sub-category below, HCD reserves the right to rank applications by their relative competitiveness based on TCAC score and tiebreaker score.

Projects that have their development costs fully funded, and have closed on the project's construction financing and commenced construction and have a feasible proposal to buy-down units to be set-aside as HTCES units in the project (*30 points*)

Projects that have already received an allocation of either 9% tax credits, or a tax-exempt bond allocation and 4% tax credits in 2025, have not started construction and have a demonstrated gap (30 *points)*

Projects structured to pursue a tax-exempt bond allocation and 4% tax credits/bonds in 2026 (*25 points)*

Projects must demonstrate competitiveness by providing their LIHTC request amount, identifying set aside or geographic pool in which they plan to apply, and will meet the following:

- (Option 1) Will ~~score 120 points,~~ apply in the New Construction Pool with a score of 120 points, apply without a request for state tax credits and have a tiebreaker score of no less than 1459~~0~~%; or
- (Option 2) Projects that will apply as New Construction in the BIPOC Pool with a score of 120 points and have a tiebreaker score of no less than 140%; or
- (Option 3) Projects that will apply in the New Construction Pool with a score of 120 points and meet the requirements for the ELI/VLI or the Homeless set aside and have a tiebreaker score of no less than 130%; or
- ~~(Option 2) Will score 120 points, apply as New Construction in the BIPOC Pool, and have a tiebreaker score of no less than 140%.~~

OR for (20 points)

- (Option 4) Projects that will apply in the New Construction Pool with a score of at least 119 points, apply without a request for state tax credits, and have a tiebreaker score of no less than 160~~800~~%; or

Projects structured to pursue 9% tax credits in 2026 *(20 points)*

Projects must demonstrate competitiveness by providing their LIHTC request amount, identifying set aside or geographic pool in which they plan to apply, and must have a tiebreaker score of at least 95% if competing in the geographic region, or a tiebreaker score of at least 7~~9~~0% if competing in the Nonprofit or Special Needs set-asides.

Projects structured to pursue Homekey+ Section 502 Gap Financing in 2026 *(~~15~~20 points)*

Projects must meet 2024 HK+ Program threshold requirements, have an existing CA HCD Award commitment with a pending disencumbrance and/or have an existing CA HCD Award commitment with at least one prior unsuccessful application for tax credits/bonds, and have a minimum HK+ application score of 107 points, including full points in the Site Control and Experience and Coordination categories.

B. Funding Commitments: Degree to which project funding has been committed as follows: (20 points max)

(0-1 Points)

One (1) point for commitment of construction period financing, including any tax credit equity pay-in and other soft sources, that is sufficient to cover project hard costs and other project costs through conversion to permanent financing.

(0-12 Points)

Up to 10 points for commitments of permanent funding as follows:

For projects with partial funding commitments, points will be given based on the percentage of capital financing (excluding the value of capitalized public rental/operating subsidies) committed to the project, as follows:

Committed Permanent Sources as a Percent of TDC Greater than:	Points
40%	2
50%	4
60%	6
70%	8
80%	10
90%	12

(0-7 Points) consider more points

Up to four (4) points for commitment of long-term public operating subsidy based on the capitalized value of public rent and public operating subsidy commitments as follows:

Total Capitalized Public Rental/Operating Subsidy as Percent of TDC Greater than:	Points
1%	1
3%	3
5%	5
8%	7

Only rental/operating subsidy commitments from public sources will be considered. Any project sponsor-funded capitalized operating subsidy reserve commitments will not be considered.

The capitalized value of the public rental/operating subsidy is based on the total subsidy/rent differential over the contract term. In calculating the capitalized value of rent differentials attributable to committed public rent/operating subsidies, the County will utilize the project application information consistent with CTCAC regulations and as described in the RFP Application Instructions.

C. Financial Leveraging Potential: Degree to which outside funding will be pursued (10 points max)

Points will be awarded for limiting Measure W resources as a percentage of the total development costs. (Non-HTF Funding /TDC expressed as a percentage). The financial leveraging point score shall be based upon existing funding commitments and upcoming funding opportunities for which a project is realistically competitive including realistic assumptions around Low-Income Housing Tax Credit Equity pricing.

The higher the percentage of leveraged funding sources, the higher the score. Points will be awarded based on the table below.

Non-HTF Financial Resources as a Percent of TDC	Points
95%	10
90%	8
85%	6
80%	4
75%	2

65% to 74%	1

- Failure to be awarded funds from proposed sources after two rounds of application or failure of developer to pursue proposed sources shall require reevaluation of feasibility. If the project's feasibility is in question HCD reserves the right to rescind or reduce the funding commitment.

D. Cost Efficiency (10 points max)

- Reasonable total development costs per unit, per bedroom, or per square foot than similar projects and similar construction types.
- Reasonable construction costs per unit, per bedroom, or per square foot than similar projects and similar construction types.
- Operating Costs per Unit
    - Operating budget assumptions are reasonable for the proposed project populations(s) served.

E. Feasibility of Development & Operating Plan (10 points max)

- Development budget and cash flow assumptions are feasible and demonstrate the project's ability to attract financing, meet its obligations, make payments and maintain the project over time.
- Operating budget assumptions are feasible in terms of revenues and expenses per unit per year, including committed sources of operating / rental subsidy.
- As part of the project's financial feasibility assessment, HCD will review the development pro forma submitted with the application, including the project's cash flow, to determine the long-term viability of the project with and without the use of any operating subsidy.

II. Neighborhood Services and Amenities (6 points max)

A. Proximity to services that meet the needs of the Home Together populations of the project

For HTCES units and other project units serving populations identified in the Home Together Plan:

- 2 points: Project site is located within 1/2 mile of a facility that operates to serve the Home Together population living in the development. Facilities may include but are not limited to: community colleges, trade schools, apprenticeship programs, employment programs, childcare centers for parenting youth, and/or community centers for youth (e.g., LGBTQ+ centers, drop-in youth centers), senior center, and veteran's services.
- 1 point: Project site is located within 1 mile of such facility.

B. Proximity to public transportation (2 points max)

- Two (2) points will be awarded for a project located within 1/3 mile of multiple bus lines with a frequency of service interval of 15 minutes or less during peak hours, a ferry terminal station, Bus Rapid Transit, and/or BART station; or
- One (1) point will be awarded for a project location within 1/3 mile of a single bus line or shuttle; or
- One (1) point will be awarded for a project location within ½ mile of High Quality Transit as defined under the Affordable Housing & Sustainable Communities (AHSC) Guidelines, generally meaning a Bus Rapid Transit bus stop, and/or BART station, and/or a ferry terminal station with a frequency of service interval of 15 minutes or less during peak hours and service seven days a week.

C. Proximity to grocery, farmers' market or healthcare access (2 points max)

- Two (2) points will be awarded for a project location within 1/2 mile of a full-service grocery store (where staples, fresh meat, and fresh produce are sold), farmers' market, qualifying medical clinic as defined by CTCAC, or pharmacy; or
- One (1) point will be awarded for a project location within 1 mile of such a business.

III. Developer Experience and Capacity (30 *points max*)

A. Developer Experience Exceeds Minimum (15 points max)

As a minimum threshold requirement, the development entity applying for funding must have experience successfully completing at least three Affordable Rental Housing Developments that are equivalent to the proposed Affordable Rental Housing Development in size, scale, level of amenities, and populations served by the Developer entity and within budget and on schedule within the last ten years. Points will be awarded based on evidence that the development entity exceeds the minimum threshold requirements as follows:

- Five (5) points will be awarded for completing more than three Affordable Rental Housing Developments that are equivalent to the proposed Affordable Rental Housing Development in size, scale, level of amenities, and populations served by the Developer entity and within budget and on schedule within the last ten years.
- Two (2) points will be awarded for each additional Affordable Rental Housing Development that is equivalent to the proposed Affordable Rental Housing Development in size, scale, level of amenities, and populations served by the Developer entity and within budget and on schedule within the last ten years. (up to 10 points).

Please refer to the RFP for developer experience minimum threshold requirements and *AHDP Policies and Procedures* for submittal requirements for Tier One and Tier Two Developer Experience.

B. Strength of Development Team and Development Staffing Capacity (15 points max)

- Fifteen (15) Points will be awarded based on evidence that the Development Team members (Developer Principals, Property Manager, Attorney, Architect, Financial Consultant, etc.) exceed the minimum requirements described in the RFP as follows:

Team Member	Max Points	Scoring
Lead Staff (Project Manager) Experience	2	2 points if PM has completed at least 2 similar projects or a combination of equivalent, dissimilar projects is full points, 1/2 points if they completed 1 project, 0 points if they have not completed any projects
Lead Staff (Project Manager) Capacity	2	Working on up to 3 projects (including one in the application) or a combination of equivalent, dissimilar projects is full points, more than 3 projects, 0 points.
Strength of Development Team (Architect, GC, Legal, Financial Consultant)	3	Other team members (architect, general contractor, legal, financial consultant) have worked on at least 3 similar projects (including one in the application) or a combination of equivalent, dissimilar projects is full points. If other team members have worked on 2 similar projects, deduct 0.5 point; 1 similar project, deduct 1 point
Management Company Experience	8	3 points if management company has more than 11 projects managed over 3 years; 1 point for each additional California LIHTC project managed up to 5 points

Provide list staff assigned to the Project for which funding is requested, including their resumes.

IV. Quality of Services and Operations Plan (50 points max)

A. Experience of Supportive Services Provider for households in HTCES units and other Coordinated Entry-referred units (10 points max)

As a minimum threshold, services partner delivering supportive services must have at least three years of experience providing supportive services to similar populations as the proposed project in at least two supportive housing projects and serving at least twenty households in total. Points will be awarded based on evidence that the supportive services provider exceeds the minimum threshold requirements as follows:

- 10 points: Service Provider agency has more than 10 years of experience providing services to the proposed HTCES target population; OR
- 7 points: Service Provider agency has 5 to 10 years of experience providing services to the proposed HTCES target population; OR
- 4 points: Service Provider agency has 3 to 5 years of experience providing services to the proposed HTCES target population

B. Experience of Property Manager (10 points max)

As a minimum threshold, the property manager must have at least three years of experience managing supportive housing units in at least two projects of no fewer than ten supportive housing units each. Points will be awarded based on evidence that the property manager exceeds the minimum threshold requirements as follows:

- 10 points: Property Manager has more than 10 years of managing properties serving the proposed HTCES target population; OR
- 7 points: Property Manager has 5 to 10 years of experience managing properties serving the proposed HTCES target population; OR
- 4 points: Property Manager has 3 to 5 years of experience managing properties serving the proposed HTCES target population
-

C. Quality of Supportive Services Plan and Coordination Plan (30 points max)

- Comprehensiveness of Resident Supportive Services Plan for the Project and the MOU between the Developer, Property Manager and Services Provider(s) (up to 6)
- Appropriate staffing levels to target population, with at least one FTE Supportive Services provider with appropriate clinical support for each 25 residents in HTCES units. If proposing PSH+, staffing capacity must include the medical or behavioral health components required to assist higher acuity residents on site. (up to 5)
- Reasonableness of property management staffing levels (FTE) in relation to total units serving persons with supportive services needs and acuity levels. (up to 4)
- Plan for the provision of tailored training to property management and services staff (up to 4)
- Plan for comprehensive services and property management coordination, including cadence and format for coordination meetings. (up to 3)
- Proposed tenant outcomes beyond those required as threshold (up to 4)
- Reasonableness of supportive services budget including but not limited to: (up to 4)
    - Extent to which funding sources for supportive services are clearly identified and reasonable given populations served
    - Extent to which there is a reasonable expectation that funding sources are committed, renewable and can be sustained

V. Penalties for Application Quality Issues *(- 5 points max)*

Points may be deducted at the HCD's discretion for internally inconsistent and/or partially responsive applications with a maximum deduction of 5 points. Quality of application issues include but are not limited to:

- Significant discrepancies (10 points or more) between self-score and HCD score
- Supporting documentation that does not support applicant's self-score, such as but not limited to:
    - The self-reported 4%/9% tax credit application points score and/or tiebreaker score is not verifiable or supported by the applicant's submittal materials (Attachment 40 for 4% projects, TCAC 9% application for 9% projects).

- Self-reporting of EFC is not supported by applicant's commitment documentation

- Partially responsive or internally inconsistent submittal information (especially that affect threshold requirements and/or scoring criteria), including a lack of timely response (considered as one business day) to HCD requests for application information.

VI. Penalties for Nonperforming Previously Funded Projects *(-10 points max)*

Within 24 months preceding a funding application, events occurring in connection with projects with HCD funding under the control of the sponsor will be used as the basis for penalties. Events will not result in negative points if they have been fully resolved as determined by, or to the satisfaction of, the County as of the date of application.

Points may be deducted at HCD's discretion for each occurrence below with a maximum deduction of 10 points for the following reasons:

- Failure to properly maintain a project as determined by the HCD's property site inspections.
- Failure to comply with prevailing wage/Davis-Bacon, living wage, or other County contracting and employment programs.
- Unresolved defaults under any HCD agreement or on any agreement for a project that has HCD funding.
- On-going failure to comply with HCD quarterly project reporting obligations for Sponsor projects with a funding commitment.

Points may also be deducted for other significant violations of requirements of the County's housing development programs, programs of other public agencies, or agreements with private lenders. Such violations may include the following if they have not been cured within a reasonable time period as determined by HCD: inadequately maintaining books and records; failure to comply with fair housing requirements; failure to properly certify tenant income eligibility; failure to adequately qualify prospective first-time homebuyers; or failure to cure an event of default.

VII. Geographic Distribution per the Home Together Fund

After rating and ranking RFP applications, HCD and H&H reserve the right to consider the overall Countywide geographic distribution in order to achieve alignment with the Home Together Fund in recommending projects for funding from this RFP.

Appendix D – 2025 Alameda County Income Limits

2025 INCOME AND RENT LIMITS
(Effective April 23, 2025)

Persons in Household	Acutely Low Income (15%)	Extremely Low Income (30%)	Very Low Income (50%)	Low Income (80%)	Median Income (100%)	Moderate Income (120%)
1	$16,750	$33,600	$55,950	$87,550	$111,850	$134,250
2	$19,150	$38,400	$63,950	$100,050	$127,850	$153,400
3	$21,550	$43,200	$71,950	$112,550	$143,800	$172,600
4	$23,950	$47,950	$79,900	$125,050	$159,800	$191,750
5	$25,850	$51,800	$86,300	$135,100	$172,600	$207,100
6	$27,800	$55,650	$92,700	$145,100	$185,350	$222,450
7	$29,700	$59,500	$99,100	$155,100	$198,150	$237,750
8	$31,600	$63,300	$105,500	$165,100	$210,950	$253,100

Appendix E-Alameda County Minimum Insurance Requirements

COUNTY OF ALAMEDA MINIMUM INSURANCE REQUIREMENTS

Without limiting any other obligation or liability under this Agreement, the Contractor, at its sole cost and expense, shall secure and keep in force during the entire term of the Agreement or longer, as may be specified below, the following insurance coverage, limits and endorsements:

	TYPE OF INSURANCE COVERAGES	MINIMUM LIMITS
A	**Commercial General Liability** Premises Liability; Products and Completed Operations; Contractual Liability; Personal Injury and Advertising Liability	$2,000,000 per occurrence (CSL) Bodily Injury and Property Damage
B	**Commercial or Business Automobile Liability** All owned vehicles, hired or leased vehicles, non-owned, borrowed and permissive uses.	$1,000,000 per occurrence (CSL) Any Auto Bodily Injury and Property Damage
C	**Workers' Compensation (WC) and Employers Liability (EL)** Required for all contractors with employees	WC: Statutory Limits EL: $1,000,000 per accident for bodily injury or disease
D	**Course of Construction /Builder's Risk All Risk or Installation Floater when applicable**	100% of property replacement value
E	**Contractors Pollution Liability applicable to work being performed**	$1,000,000 per occurrence
F	**Directors and Officers Liability** Including Employment Practices Liability	$1,000,000 per occurrence
G	**Commercial Employee Dishonesty and Crime**	Covering all officers and employees for loss of HCD loan proceeds caused by dishonesty

H **Endorsements and Conditions**:

1. **ADDITIONAL INSURED:** All insurance required above with the exception of Commercial or Business Automobile Liability, Workers Compensation and Employers Liability, and Contractors Pollution Liability, shall be endorsed to name as additional insured: County of Alameda, its Board of Supervisors, the individual members thereof, and all County officers, agents, employees, volunteers, and representatives. The Additional Insured endorsement shall be at least as broad as ISO Form Number CG 20 38 04 13. Builder's Risk/Installation floater shall name Alameda County as loss payee.

2. **DURATION OF COVERAGE:** All required insurance shall be maintained during the entire term of the Agreement. In addition, Insurance policies and coverage(s) written on a claims-made basis shall be maintained during the entire term of the Agreement and until 3 years following termination of the Agreement and acceptance of all work provided under the Agreement, with the retroactive date of said insurance (as may be applicable) concurrent with the commencement of activities pursuant to this Agreement.

3. **REDUCTION OR LIMIT OF OBLIGATION:** All insurance policies, including excess and umbrella insurance policies, shall include an endorsement and be primary and non-contributory and will not seek contribution from any other insurance (or self-insurance) available to the County. The primary and non-contributing endorsement shall be at least as broad as ISO Form 20 01 04 13. Pursuant to the provisions of this Agreement insurance effected or procured by the Contractor shall not reduce or limit Contractor's contractual obligation to indemnify and defend the Indemnified Parties.

4. **INSURER FINANCIAL RATING:** Insurance shall be maintained through an insurer with a A.M. Best Rating of no less than A:VII or equivalent, shall be admitted to the State of California unless otherwise waived by Risk Management, and with deductible amounts acceptable to the County. Acceptance of Contractor's insurance by County shall not relieve or decrease the liability of Contractor hereunder. Any deductible or self-insured retention amount or other similar obligation under the policies shall be the sole responsibility of the Contractor.

5. **SUBCONTRACTORS:** Contractor shall include all subcontractors as an insured (covered party) under its policies or shall verify that the subcontractor, under its own policies and endorsements, has complied with the insurance requirements in this Agreement, including this Exhibit. The additional Insured endorsement shall be at least as broad as ISO Form Number CG 20 38 04 13.

6. **JOINT VENTURES:** If Contractor is an association, partnership or other joint business venture, required insurance shall be provided by one of the following methods:
   - Separate insurance policies issued for each individual entity as a "Named Insured" (covered party), or at minimum named as an "Additional Insured" on the other's policies. Coverage shall be at least as broad as in the ISO Forms named above.
   - Joint insurance program with the association, partnership or other joint business venture included as a "Named Insured."
7. **CANCELLATION OF INSURANCE:** All insurance shall be required to provide thirty (30) days advance written notice to the County of cancellation.

8. **CERTIFICATE OF INSURANCE:** Before commencing operations under this Agreement, Contractor shall provide Certificate(s) of Insurance and applicable insurance endorsements, in form and satisfactory to County, evidencing that all required insurance coverage is in effect. The County reserves the rights to require the Contractor to provide complete, certified copies of all required insurance policies. The require certificate(s) and endorsements must be sent as set forth in the Notices provision.

Appendix F - List of Exhibits

Exhibit 3 – Self Scoring Worksheet
Exhibit 7 – Replacement Unit Analysis
Exhibit 14 – Applicant Certifications and Acknowledgement
Exhibit 23 – Supportive Services Plan Template
Exhibit 24 – Supportive Services Plan Budget Template
Exhibit 27 – Developer Experience Worksheets
Exhibit 29 – Developer Capacity Worksheet

Appendix G – Alameda County Local Housing Subsidy Program Framework

ALAMEDA COUNTY
LOCAL HOUSING SUBSIDY PROGRAM

PROGRAM FRAMEWORK

Draft Program Framework as approved by the Alameda County Board of Supervisor's Health Committee on July 22, 2024

- Pending full Board of Supervisors action -

Community Development Agency's Housing and Community Development Department
Health Care Services Agency's Office of Homeless Care and Coordination

ALAMEDA COUNTY
Community Development Agency

Alameda County
Health Care Services Agency

Table of Contents

Appendix A – FY 2025 Alameda County FMR limits and 2024 Income Limits

Program Framework Context

The Alameda County Housing and Community Development Department (HCD), a department within the Community Development Agency (CDA) has prepared this Program Framework ("Program Framework" or "LHSP Framework") for the **Alameda County Local Housing Subsidy Program ("LHSP")** through a collaborative effort with the Alameda County Health ("ACHACH") Housing and Homelessness Services ("H&HH&H"). The Framework was developed based on a stakeholder-informed design process held in fall 2022 that included input and participation from staff in ACHACH, H&HH&H, HCD, the Housing Authority of the County of Alameda, the Oakland Housing Authority, the City of Oakland Housing and Community Development Department, and the City of Oakland Human Services Department.

The LHSP Framework is intended to establish a uniform and consistent program design, programmatic policies, and selection criteria to guide the provision of County-administered operating funding subsidies for permanent supportive housing ("PSH") units serving homeless households in Alameda County. This Framework has been developed to guide the County's implementation of the LHSP for site-based operating subsidy for PSH units and will be presented to the Board of Supervisors for the Board's review and consideration in Summer 2025

Various funding streams have been made available (both one-time and on-going) to support housing homeless households in Alameda County. Permanent supportive housing ("PSH"), i.e., permanent affordable rental units reserved for persons experiencing homelessness or formerly homeless households with a wrap-around supportive services component, are an essential form of housing in the continuum of housing supports for this vulnerable population. PSH housing units typically serve households that are extremely low-income ("ELI") – serving households with incomes at or less than 30% of the Area Median Income (AMI) and often much lower, such as 15% or less of the AMI. While capital funding to develop multi-family affordable housing is available at the state and federal levels, albeit through competitive selection processes and not at levels required to address the region's housing crisis, 100% PSH projects or those with some portion of PSH units are not sustainable nor financially feasible unless there is ongoing operating funding in an amount that will allow the property to cover its operating costs. Federal Project-based vouchers (PBVs), a component of housing authorities' Housing Choice Voucher Program, and other operating subsidy programs such as HUD's Veterans Affairs Supportive Housing (VASH) Program and the State's No Place Like Home (NPLH) Program, have been important operating subsidy sources for ensuring sustainability of affordable rental projects that serve homeless households as well as other ELI and very low-income households

(households with incomes between 31-50% of AMI) in Alameda County.[1] These sources are not sufficient, however, to address the unmet housing needs for all the ELI households that are at risk of homelessness or are currently unhoused in Alameda County.[2]

To solve homelessness in Alameda County, additional operating subsidy resources are needed to promote the feasibility and long-term success of affordable housing developments with PSH units for homeless persons and households. Alameda County will continue to seek funding opportunities for operating subsidy to benefit future projects containing PSH units for homeless populations.

It is essential that the County have a standardized process for allocating available operating subsidies to PSH units to ensure efficiency and efficacy in the deployment of those funds. This Program Framework is intended to provide a uniform, regularly administered awards process to allocate operating subsidy funding for PSH units. It provides a broad overview of the LHSP goals and intended benefits, agency roles and responsibilities, local funding descriptions, programmatic policies, applicant eligibility requirements, eligible and ineligible uses of the funding, the selection process and criteria for funding, evaluation factors for determining a project's financial feasibility and ongoing financial sustainability, contractual and administration considerations for funding deployment, ongoing asset management, reporting and monitoring requirements, implementation schedule and next steps.

Program Overview

The Alameda County Local Housing Subsidy Program Framework is intended to provide a unified structure for Alameda County's allocation of permanent supportive housing operating subsidies to eligible affordable housing providers who are providing permanent supportive housing units designated for homeless persons within their projects. This Program Framework concerns the allocation of property- or site-based operating subsidy ("**Site-Based LHSP**"), meaning the subsidy is approved for a given Property unit that will exclusively serve homeless households, and is not committed to any one specific tenant. Separately, ACH has considered providing tenant-based rental assistance for clients who receive supportive services through

[1] 25% of the County's 573,175 households (154,715 households) are Very Low Income, with household incomes at or less than 50% of the HUD Area Median Family Income (HAMFI). The vast majority are cost burdened, meaning they spend more than 30% of their income on housing costs (77% of ELI households and 71% of VLI households are cost burdened). 16% of the County households (92,600 households) are Extremely Low Income, with incomes at or less than 30% of the HAMFI. Source: U.S. Census Bureau 2016-2020 American Community Survey data for Alameda County: https://www.huduser.gov/portal/datasets/cp.html

[2] The 2022 Homeless Point-in-Time County for Alameda County, conducted in February 2022, found that there were 9,747 homeless persons in Alameda County, of which 73% (7,135 persons) were unsheltered and 27% (2,612 persons) were sheltered. Source: https://everyonehome.org/main/continuum-of-care/everyone-counts-2022/

homeless service provider organizations with which ACH contracts. This Framework does not address the selection and funding allocation process for a tenant-based rental assistance program.

Alameda County HCD intends to release **Site-Based LHSP** funding through a competitive funding process to qualified and eligible development entities (both non-profit and for-profit owners will be eligible to apply) to fund a **Capitalized Operating Subsidy Reserve ("COSR")** associated with the permanent supportive housing units serving homeless households in given affordable housing projects. LHSP funds will be made available Countywide unless restricted to a particular County geography or jurisdiction by a particular funding source, and this is documented in a regulatory agreement or similar document. The LHSP funding is not meant to replace other available operating subsidy sources. **The County's LHSP operating subsidy is designed to fund a project's COSR for a 20-year period that is calculated with the subsidy representing the difference between the expected cost of operating the designated LHSP-assisted PSH units and all the revenues associated with those units including tenant rental payments and any other operating subsidies.** If LHSP funds are needed, a project-specific operating budget demonstrating annual need over a 20-year period is reviewed (in addition to other required application materials) and if warranted, a recommendation for funding made. LHSP subsidies are awarded subject to funding availability.

Projects recommended for funding will be required to enter a standard funding contract with Alameda County, as well as an **Operating Grant Agreement** outlining the terms of the COSR for the 20-year subsidy payment, and additional funding terms and conditions. The COSR will be funded up-front, held by the County, and released in annual installments during the agreement term. An accounting and reconciliation process will be conducted annually, based on required monitoring and reporting submissions as well as an audit conducted by a third-party certified public accountant, to determine whether the operating subsidy resulted in any surplus.

Program Goals and Intended Benefits

The LHSP Framework has the following goals and intended benefits:

Program Goals

- Support financial feasibility and operational sustainability of affordable housing projects that contain permanent supportive housing units for homeless persons through provision of LHSP operating subsidy funding
- Support creation of new permanent supportive housing units in Alameda County through implementation of a locally managed housing operating subsidy program framework that can leverage existing capital and operating subsidy programs at the state and federal level

- Establish a regular (e.g., annual) awards process in Alameda County for the selection and funding of LHSP operating subsidies for permanent supportive housing units for homeless persons
- Provide uniform programmatic polices and operating policies and procedures to guide implementation of the LHSP
- Increase coordination and oversight of the deployment of local housing operating subsidy funds at the County-level and with County partners including Alameda County Health, Housing and Homelessness Services and the Alameda County Housing and Community Development
- Establish project and funding selection criteria and program design elements to maximize County's ability to access operating subsidy funding opportunities
- Establish relationships with partner agencies to efficiently deploy funds
- Implement LHSP Framework to support multiple funding streams

Intended Benefits

- Increased production of permanent supportive housing units because the County LHSP could supplement other available operating subsidy sources and leverage additional PSH units
- Ability to efficiently deploy funds through a coordinated and consistent funding allocation process
- Strengthened evidenced-based policy making efforts for additional permanent supportive housing funding resources (capital and operating) through collaboration with governmental and non-governmental partners)
- Increased capacity through partnerships

Roles and Responsibilities of Partner Agencies

Lead Agencies

The Alameda County Community Development Agency's Housing and Community Development Department (HCD) and the Alameda County Health, Housing and Homelessness Services (H&H) will jointly implement the LHSP Framework through policy-setting, outcomes tracking, and reporting. Other County agencies may serve in supportive capacities dependent upon related funding streams. HCD and H&H's roles and responsibilities are described below.

HCD will:

- Prepare and issue the Request for Proposals (RFP) for Site-Based LHSP funds on a regular basis subject to funding availability;

- Lead the evaluation and underwriting of project applications for Site-Based LHSP funding, utilizing external consultants as needed;
- Lead a staff team comprised of key staff from HCD and H&H to review and score the project applications in accordance with the Site-Based LHSP Evaluation Criteria;
- Prepare the staff recommendation report for review by the directors of HCD and ACH, prior to forwarding recommendation to the Board of Supervisors for approval;
- Prepare the Board of Supervisors board letter, funding resolution, and funding contracts for recommended Site-Based LHSP funded-projects;
- Work with County Counsel to prepare Operating Grant Agreement and other necessary contractual documents with projects selected for Site-Based LHSP funding;
- Administer contracts during the contract term for selected site-based development projects, including providing monitoring and asset management oversight of the funded projects;
- Hold Capitalized Operating Subsidy Reserve accounts on behalf of funded projects through the Community Development Agency's Finance Division; ensure coordination between Asset Management Division of HCD and Finance Division for efficient review and release of annual funding subsidy;
- Through HCD's Asset Management Division, monitor funding recipients, provide asset management and oversight, and review quarterly or as needed reports from funding recipients;
- Provide ongoing program coordination, oversight and consolidated reporting;
- Hold quarterly coordination meetings with H&H to discuss LHSP Framework policy setting and implementation, outcomes tracking, and proposed and current LHSP projects; and
- Other program implementation tasks that may be identified for HCD coordination during program implementation.

H&H will:

- Review and provide input on RFPs prepared by HCD for release of Site-Based LHSP funding;
- Participate in the review and scoring of project applications on internal HCD/H&H staff review committees;
- Lead the qualitative and quantitative evaluation of the supportive services portions of the LHSP application, including reviewing the Supportive Services Plan, the supportive services budget, the statements of qualifications for the proposed services providers, proposed agreements and MOUs submitted for services provision, proposed amenities and services in the location of the project that will benefit the targeted LHSP population;

- Provide input to HCD on the staff recommendation report prior to its review by the directors of HCD and ACH;
- Provide input to HCD on the board letter and other materials for recommended Site-Based LHSP-funded projects;
- Develop Board of Supervisor letters and packets for any projects not administered by HCD;
- Develop and manage any tenant-based rental assistance program proposed to be funded with LHSP compatible funding;
- Assist HCD with preparation of consolidated reporting documents;
- Participate in quarterly coordination meetings with HCD to discuss LHSP Framework policy setting and implementation, outcomes tracking, and proposed and current LHSP projects; and
- Other program implementation tasks that may be identified for H&H coordination during program implementation.

Other Partner Agencies

County agencies and additional governmental agencies, including social services administration, city housing departments, and housing authorities, may be invited to partner in the implementation of LHSP funding in a variety of capacities including administering contracts, evaluating projects, and structuring projects to include LHSP funded units.

Funding Source Requirements

LHSP is intended to guide expenditures of future funding sources, both those that exist, but are not yet under contract and those that have yet to be identified. Individual projects may be subject to further restrictions required by the funding source(s). This could include specifications for client eligibility, programmatic type, and duration of agreements. The following policies are intended to guide the LHSP program structure absent superseding funding requirements of non-County funding sources.

LHSP Project Procurement and Selection Process

When the County has identified a new funding source or received an award of funding from state or federal sources, the County will initiate a procurement process to deploy these funds. This Framework describes the project selection process for Site-Based LHSP, which will be led by HCD with support and input from H&H. H&H may separately administer a tenant-based rental assistance program to support homeless clients in its programs. This Framework does not

address implementation policies for a tenant-based rental assistance program, which may be developed by H&H and ACH at a later point.

Competitive Process: Site-Based LHSP funding for homeless units within affordable housing developments will be made available through a competitive process with funds released through a regularly administered (e.g., annual) submission window, with the potential for over-the-counter applications if funds remain available after the regular submission process. A typical competitive application process involves release of a Request for Proposals (RFP) to seek proposals for a given funding source. HCD will prepare the RFPs that announce the availability of Site-Based LHSP funding, and will seek input and review from H&H on draft RFPs before release. Notwithstanding the above, if the County has identified new funding or received an award of funding from state or federal sources that are on a different or more time-sensitive release schedule, the County will initiate a procurement process to deploy those funds within the required time periods set forth by those funding sources.

For maximum flexibility in program implementation, the County reserves the right to select projects through competitive processes that may vary in their timing and format according to the funding source. For example, these processes could include:

1. Release of an RFP based on the specific availability of funding; OR
2. Establishment of a vendor pool for housing developers with subsequent funding-specific Requests for Information (RFI) to the pool; OR
3. Inclusion of LHSP-specific application requirements within broader procurement processes issued by Alameda County HCD, such as RFPs that are released by the County for development (capital) funding for affordable housing development.

Project Review Steps: All project applications received in response to the RFP for Site-Based LHSP will first be reviewed by an assigned HCD project manager and/or consultant with expertise in project feasibility analysis. Applications will be reviewed for completeness and to ensure that project eligibility requirements are met. A financial feasibility analysis will be conducted to determine the financial feasibility of the project and the viability of the LHSP funding request. Following the initial review, project applications may be scored by a County Selection Committee (CSC) with representation from staff of HCD and H&H, and potentially additional individuals with expertise in homeless project development and/or operations, utilizing scoring sheets developed in alignment with the LHSP priority criteria such as those outlined in the section titled **"LHSP Selection Criteria"** further below. Project(s) recommended for Site-Based LHSP funding will then be presented to the department heads of HCD and ACH

for initial approval. Following review and approval by the department heads of HCD and H&H, staff recommendations for Site-Based LHSP projects will be brought to the Alameda County Board of Supervisors for final review and approval. Alameda County HCD staff will prepare the board letter, contract, and any other documents required to enable the County to distribute the funds to the selected project recipient.

Programmatic Policies

Projects selected for funding for Site-Based LHSP will need to meet the following programmatic policies and eligibility requirements. The County reserves the right to incorporate additional or alternative programmatic policies and requirements as needed in a specific RFP issuance, depending on any specific additional or alternative requirements of the operating subsidy funding source.

Applicant Eligibility Requirements

Alameda County HCD will accept project applications for Site-Based LHSP funding from both non-profit and for-profit affordable housing developers. Applicants will be required to meet developer experience and capacity requirements as set forth in the project evaluation criteria. The developer experience and capacity requirements are aligned closely with HCD's general requirements found in its rental development funding RFPs. **The County also encourages applications from emerging developers or developers who have participated, or are participating in, one of the County's predevelopment grant or capacity-building programs.** The County will require that these developers are in a development partnership with a more experienced development partner, evidenced by a joint venture agreement or other executed agreement (e.g., Memorandum of Understanding).

Sample Eligibility Threshold Requirements

Projects will be required to meet eligibility threshold requirements to apply for LHSP funding. Following is a sample of the potential eligibility threshold requirements for the LHSP funding. The RFP or other procurement process used to release operating subsidy funding will include specific information on eligibility requirements.

- The project applicant must be either a nonprofit or for-profit affordable housing developer; joint venture agreements are acceptable;
    - Emerging developers or developers who have participated, or are participating in, one of the County's predevelopment grant or capacity-building programs, are eligible to apply, but must be in a development partnership with a more experienced development partner, evidenced by a joint venture agreement or other executed agreement (e.g., MOU)

- The proposed project must be in Alameda County
- The proposed project must be new construction or acquisition/rehabilitation
    - If acquisition/rehabilitation project, property units must be rehabilitated such that they meet Housing Quality Standards (HQS), lead-based paint certification requirements, and all other local and state building requirements and health and safety codes
    - The County may consider existing deed-restricted affordable rental projects to apply for LSHP funds if operating subsidy is needed; however, the County will prioritize the creation of new PSH units
- The project applicant must have site control, and evidence of site control must be included in the application
- The proposed project must include Permanent Supportive Housing (PSH) units for formerly homeless households
    - Projects are not required to be 100% PSH, but may incorporate PSH units within the rest of the unit income mix
- Requested LHSP operating subsidy funds may not supplant another proposed source of operating subsidy (i.e., there may be no duplication of benefits)
- Requested LHSP operating subsidy funds may only be proposed for PSH units that serve formerly homeless households Applicants that have received prior County HCD or H&H funding must be in good standing and in compliance with all existing County documents, reporting and monitoring requirements.

Target Populations

LHSP operating subsidy will be provided for permanent supportive housing (PSH) units for specific homeless populations. Project sponsors for the housing developments will need to provide a tailored service program for that population either directly or through homeless service providers. Unit size, social service delivery space and amenities in the project shall be designed and programmed accordingly. Target populations may include homeless adults, families with minor children, seniors, transition-age youth (TAY) and people living with severe mental illness or other disabilities. All populations served through this program must be experiencing homelessness and referred and prioritized through the County's Coordinated Entry System (CES).

Sizing the LHSP Operating Support

The County will provide Site-Based LHSP to a project sponsor through a **Capitalized Operating Subsidy Reserve (COSR)** established and held by the County to address project operating deficits attributed to the permanent supportive housing units to be assisted through the LHSP

over a 20-year period. The COSR is intended to be fully funded at the start of the grant term, and will be held by the County in a separate account established by the County for the specific project (the **"LHSP COSR Account"**). The operating subsidy support will be released in annual installments to the project sponsor to support the project's homeless-serving LHSP units, and will be released within 45 days after the County's approval of the Annual Report and bifurcated audit addressing the prior year of the project's operations.

The COSR will be sized based on the difference between the cost of operating the LHSP units and the revenues received for those LHSP units, including tenant rental payments and any other operating subsidies. The COSR will be underwritten using the *lesser of* the monthly Fair Market Rent (FMR) for the Oakland-Fremont, CA HUD Metro FMR Area for the applicable unit size, or the monthly cost of operating the LHSP unit. FY 2025 FMRs may be found in **Appendix A.** The tenant's rent contribution will then be subtracted from this amount to arrive at the monthly LHSP subsidy (i.e., the amount of the shortfall between the cost of operating the LHSP unit and what the tenant can pay towards renting that LHSP unit). The County will use a 2.5% annual escalator to calculate the capitalized amount of the 20-year LHSP operating subsidy reserve.

LHSP COSR Sizing Example: Project located in Alameda County; includes ten (10) PSH units for formerly homeless persons; all PSH LHSP units are efficiency (0-bedroom) units with assumed occupancy by 1-person households at 15% AMI.

Per unit per month (PUPM) operating cost for the PSH LHSP Unit	$1,500
FY 2025 FMR for efficiency unit	$1,937
Take Lesser of PUPM operating cost or FMR	$1,500
Annual Tenant Income Assumption (15% AMI), based on 2023 Alameda County Income Limits for 15% AMI 1-person household (State HCD TCAC limits, published 5/15/2023)	$15,550
Monthly Tenant Income Assumption (15% AMI)	$1,296
Maximum tenant rent contribution (30% of income)	**$389**
Monthly LHSP Subsidy per LHSP Unit (difference between PUPM operating cost and tenant rent contribution) *$1,500 - $389*	$1,111
Annual LHSP Subsidy per LHSP Unit	$13,332
Annual LSHP Subsidy for all 10 LSHP Units	$133,320
20-year Project COSR (assumes escalator of 2.5% per year)	**$3,405,614**

Applicants for LHSP funding will be required to substantiate the requested amount of COSR. The County will consider individual factors in determining how to size the COSR such as the number of LHSP units to be assisted, the project vacancy rates, the percentage of units that have other rental subsidy and term of that contract, other sources of income that may be available to the target population (such as social security or disability income). **See Evaluation of Financial Feasibility section further below for information on the County's review process.**

When a project is successful in obtaining an award of other rental subsidy that includes homelessness as an eligibility requirement (e.g. Project Based Section 8 or VASH) that also requires CES referrals, for purposes of determining the LHSP subsidy, the revenue from those rental subsidy(ies) will be included with revenue from the LHSP subsidy to offset projected operating costs for all units that are required to serve tenants that satisfy the homelessness eligibility requirement.

For projects where less than 100% of the units are LHSP units or are units funded by another operating subsidy that includes homelessness as an eligibility requirement, the LHSP funding is intended to cover only the portion of the shortfall that is associated with the LHSP awarded homeless-serving units.

Tenant Rent Restrictions: Gross rent charged for any LHSP tenant shall not exceed thirty percent (30%) of a tenant's gross monthly income. The County will consider the proposed target population and market study data to evaluate the assumed tenant rent expectations for a project and the amount to approve for the COSR. Gross rents include the tenant's rental payment plus the utility charges limited to an allowance as determined by the applicable utility allowance determined by the housing authority in which the project is located.

Market Study Submission: Project applicants will be required to submit a Market Study prepared no more than twelve months prior to the application to provide rental data for comparable properties, so that staff may evaluate the reasonableness of the proposed rents for the LHSP rents and other project rents proposed in the development. The Market Study must meet HCD's requirements as set forth in its Housing Development Policies and Procedures Manual, and consider the building location and size, the unit sizes and configuration, and whether the property is to be subsidized affordable housing or contains market rate units. In addition, project applicants will be required to submit comparable rental data for each type of LHSP unit proposed based on the unit size and proposed target homeless population.

Eligible and Ineligible Uses of Site-Based LHSP Funding

Eligible Uses: Notwithstanding the requirements set forth in a particular funding source for operating subsidy, the County will allow Site-Based LHSP funds to cover all reasonable

operating costs for the residential portion of the building at a pro-rated, per-unit value associated with the assisted LHSP units. This may include, but is not necessarily limited to, the following operating costs:

- Charges incurred in the operation of the project for utilities
- Property maintenance and major repairs
- Property management fees
- Salaries and wages for staff performing project-specific work including withholding taxes, insurance premiums, Social Security payments and other payroll taxes or payments.
- Premiums for insurance required under County or other senior loan documents
- Real estate taxes and assessments
- Service provision costs if NOT funded through a separate services agreement
- Asset management or partnership management fees as approved by County
- Required deposits to the Replacement Reserve Account, Operating Reserve Account, and any other Reserve Account required by the County
- In a mixed population building, a resident services staff position may be included in the operating budget to support the non-LHSP tenants if financially feasible and supported by cashflow from the non-LHSP units.

Ineligible Uses: Notwithstanding the requirements set forth in a particular funding source for operating subsidy, Site-Based LHSP funds may not be used for the following uses:

- Debt service other than minimum mandatory annual interest payments for below market rate State financing covered by the State's Uniform Multifamily Regulations (such as MHP, AHSC)
- Salaries and wages of staff not performing project-specific work
- Payment of Deferred Developer fees
- Service provision costs if funded through a separate services agreement
- Costs associated with non-residential portions of the project, excluding pro-rated contributions to major building systems that cover the whole building
- LHSP funding may not be used for vacant units, although the operating budget may include a vacancy factor of 5%
- LHSP funding may not be used for security deposits, damages, late fees, moving costs, or other miscellaneous costs

Tenant Selection through Coordinated Entry and Maximum Income Requirements

All units will be filled by individuals referred through Alameda County's Coordinated Entry System (CES). Additional detail on CES, including the County's Coordinated Entry Policies, may be found at H&H's website at https://homelessness.acgov.org/coordinated-entry.page.

At the time of selection, the tenant must be extremely low-income, with gross household income at or below 30% of the Area Median Income (AMI) for Alameda County, adjusted for household size, and the tenant must be defined as "homeless" (as defined in Section 578.3 of Title 24 of the Code of Federal Regulations found at https://www.ecfr.gov/current/title-24/subtitle-B/chapter-V/subchapter-C/part-578/subpart-A/section-578.3). The 2025 Income Limits and FMRs chart for Alameda County may be found in **Appendix A.**

Tenant Rent Contribution & Recertification

Tenants will contribute no more than 30% of their gross income towards rent. If utilities are charged separately to tenants, utility allowances must be deducted from the gross rent charged for the unit, based on the utility allowances published by the public housing authority in which the project is located. Consult the websites for the local housing authority in which the project is located in Alameda County to obtain the utility allowances in effect at the time of LHSP project application. The cities of Alameda, Berkeley, Livermore and Oakland each have their own housing authorities; the Housing Authority of Alameda County covers remaining jurisdictions in Alameda County. Projects that also include federal funding may be required to use the HUD Utility Schedule Model (visit https://tools.huduser.gov/husm/uam.html for more information).

Income recertifications must be conducted annually by the project owner. The value of the tenant contribution will be unchanged between recertifications unless the tenant documents a reduction in income, triggering an off-cycle recertification.

Vacancies

Project owners are strongly encouraged to make any necessary unit repairs and work with the County's Coordinated Entry System (CES) to place a tenant within 30 days after a unit has been vacated. Lease terminations must be communicated in writing to H&H's CES team within five business days following such termination to support prioritized and eligible referrals into the unit. The County will deliver referrals to the project owner within a set period (such as no more than 15 days), and project owner shall lease the vacated unit to the referred client within a set period (such as no more than 30 days) following receipt of the referral. When an LHSP unit

lease is terminated or the unit is otherwise vacated, project owner is required to provide H&H notice of the vacancy. Vacancies beyond 30-days may be audited by H&H's CES team.

Lease Addendum

For all new LHSP projects, an LHSP Lease Addendum must be provided to all tenants to sign upon lease-up or recertification. Staff has not yet prepared the form of the LHSP Lease Addendum but this will be included as an exhibit to the County's Operating Grant Agreement prior to execution by the County and the Property Owner. The Lease Addendum shall set forth specific requirements that apply in consideration of the LHSP subsidy. The tenant acknowledges in the Lease Addendum that if they fail to comply with the household size and other requirements, the tenant may be required to transfer to another appropriately sized unit or the LHSP subsidy may be terminated in which case the tenant would be responsible for the full underlying restricted rent.

Property Owner Responsibilities

The property owner is required to adhere to the LHSP program requirements and policies. In addition, the property owner will be required to meet, at a minimum, the following requirements which will be set forth in the County's contractual agreements with the property owner:

- Market the available LHSP units in a manner that allows broad access to qualified tenants and marketing must comply with all laws concerning non-discrimination and fair housing, including use of the Coordinated Entry System (CES);
- Enter contractual documents as required by the County for the provision of the LHSP subsidy;
- Provide annual income recertification documentation to the County;
- Maintain confidentiality of tenant income and eligibility information;
- Adhere to federal and state fair housing laws and affirmative marketing practices as applicable, and other applicable federal, state, and local regulations and building codes;
- Maintain housing quality for all units participating in the LHSP;
- Provide reports and submissions to County as set forth in the LHSP contractual agreements; and
- Enter the LHSP Lease Addendum with each client participating in the LHSP.

Tenant Responsibilities

Tenant will be required to sign a lease and lease addendum with the Property Owner and tenant is responsible for paying the tenant contribution of rent monthly and on time. The

County is not a party to the lease or lease addendum. The tenant will be responsible for providing annual income certification documentation to the Property Owner. The tenant is responsible for complying with the conditions established in the lease and any lease addenda to the lease.

Fair Housing and Equal Opportunity Lender

Projects will comply with the Non-Discrimination requirements as detailed in the Alameda County Homelessness Response System Written Standards, Section 3.1.

LHSP Selection Criteria

Project applications for Site-Based LHSP funding will be evaluated and scored by a staff team or CSC with representation by HCD and H&H based on evaluation criteria. Examples of the LHSP funding selection criteria include:

- Alignment of project with available funding stream(s)
- Alignment or project with goals of County's **Home Together 2026 Community Plan**
- Development/rehabilitation capital financing commitments secured
- Number of clients served/designated PSH units as a percentage of the total project units
- Degree of Accessibility of units for target population (ADA)
- Project Readiness Factors - shovel-readiness/construction and occupancy timeline/availability of units
- Reasonableness of Project Development Costs
- Feasibility of the LHSP Request (see evaluation criteria detail in next section)
- Developer experience and capacity
- Property Management experience and capacity
- Service provider experience with targeted tenant population(s)
- Project Location, On-Site Amenities, and Neighborhood Amenities; Proximity to transit and services
- Quality and Feasibility of Resident Services Plan and PSH-specific Supportive Services Plan
- Additional or alternative criteria that may be developed in conjunction with a particular RFP issuance and funding source

In future procurement processes, LHSP selection criteria may include review of performance metrics for project sponsors who were previously funded with LHSP or with other County

funding. Performance metrics will also be included in the reporting requirements stipulated in the County's contract with a selected project sponsor.

Evaluation of Financial Feasibility

Applicants for LHSP funding must provide sufficient documentation for County staff to make an informed decision as to the feasibility of the request for LHSP operating subsidy. Applicants will be required to substantiate their request for LHSP funding. At minimum, this would include a Financial Narrative Statement and completed project proforma with their application using Alameda County HCD's Excel-based proforma template unless otherwise required by a funding source. Applicants will be required to submit the following tabs in the proforma:

- Development Budget
- Sources and Uses
- Annual Operating Budget showing pro-rated costs between LHSP- and non-LHSP units
- 20-year cash flow assuming operating subsidy is provided
- 20-year cash flow assuming no operating subsidy is provided
- 20-year cash flow showing alternate scenario of unit mix that is financially feasible
- Calculation of Requested LHSP operating subsidy needed to cover the gap in operating costs for the proposed permanent supportive units

LHSP units may not carry debt service except for minimum mandatory annual interest payments for below market rate State financing covered by the State's Uniform Multifamily Regulations (such as MHP, AHSC). Any mortgage on the project must be carried by the non-LHSP units.

Applicants for LHSP funding will be required to meet Alameda County HCD's **Administrative Loan Terms** which are detailed more fully in HCD's **Housing Development Program Policies & Procedures**. Applicants are encouraged to review the full Policies & Procedures and Administrative Loan terms.

Duplication of Benefits Review: County staff will evaluate the request to ensure there will be no duplication of benefits.

Contract Administration and Funding Disbursement

Contractual Agreements

After project selection, HCD will prepare the County's standard contract with the selected entity to be funded (e.g., the project applicant development entity or property owner) to encumber the LHSP funds for a given project containing PSH units. The standard contract will be brought to the Alameda County Board of Supervisors for approval.

After Board approval of the standard contract, HCD staff will work with County Counsel to prepare necessary further LHSP grant documents which may include, among other contractual documentation, an **Operating Subsidy Grant Agreement** stipulating the required terms and conditions of the funding assistance. The Project Owner will be required to enter into all such agreements as required by the County. The Operating Subsidy Grant Agreement will stipulate the full amount of the COSR for the 20-year period, the number and type (size) of units to be funded with the LHSP subsidy, the assumptions for the monthly rent to be paid by the tenants, the income level of the tenants to be assisted, the annual rental subsidy amount over the COSR period, reporting and audit requirements, the County's annual disbursement procedures, and how any surpluses in the annual COSR disbursement will be addressed.

Contract Duration

The Site-Based LHSP Capitalized Operating Subsidy Reserve (COSR) will be provided for a maximum of twenty (20) years with a minimum contract period of five (5) years. The County may retain flexibility, however, in establishing the contract term depending on other operating subsidies in a project, or other funding source requirements imposed for the project. In a master-leased project, the funding contract will be a minimum of five (5) years. The full value of the County's Site-Based LHSP operating support (i.e., the COSR) will be established and encumbered at the outset of the contract term and this amount will be included in the contract and operating grant agreement language. The County will hold the COSR funds in an account separately established for each funded LHSP project.

COSR Disbursements

Annual payments will be made from the LHSP COSR established for a project to cover a project's operating deficits associated with the LHSP-assisted units. For the first two fiscal years of project operations (FY1 and FY2), the County will release the COSR payments within 45 days after the permanent loan closing (COSR payments based on project underwriting and pro forma). The County will make these annual disbursements to the funded project based on the results of an independent bifurcated audit for the project prepared by a certified public

accountant for the prior operating year, as reviewed by the County HCD's Asset Management unit. The bifurcated audit must distinguish actual annual income and expenses for the LHSP units from the other project units to determine the amount of any operating deficit specifically attributable to the LHSP units. In subsequent years (FY3 forward) of the LHSP Operating Grant Agreement, the County will make annual COSR disbursements within 45 days after its approval of the annual report and bifurcated audit, which shall be due no more than 120 days after the close of the project's operating year.

County Administration Costs

The County costs for the administration of the LHSP including preparation of operating grant agreements and other documentation are eligible expenditures of LHSP funds.

Treatment of LHSP Surpluses and Budget Revisions

One of the compliance areas that the County's Asset Management staff will be reviewing is any variances in revenue, expenses or fees compared to the approved operating budget under the LHSP Operating Grant Agreement, and whether there are any surpluses or deficits in the operating subsidy needed for the LHSP-assisted units. Project owners will be required to submit an Annual Report during the term of the LHSP Operating Grant Agreement that includes a bifurcated audit prepared by a third-party certified public accountant. See additional information in Asset Management section below. The County's Asset Management team will review whether the project required less of the COSR than was received for the year. After review of the audit, the County may do the following:

- Provide less in COSR payment in a subsequent year to make up the difference between what the project received and the actual amount of the operating deficit attributable to the LHSP-assisted units in the prior year;

- Require the project to return to the County the amount in excess of the operating deficit attributable to the LHSP-assisted units, which amount shall be deposited to the County's COSR Account set up for the project; OR

- Recalculate the remaining amount of LHSP COSR funds available over the remaining years until the 20th year and inform the project owner of the allowable COSR for the remaining term.

Budget Changes

The County will approve the COSR amount at the start of the project and this will be memorialized in the LHSP Operating Grant Agreement. Changes to the approved operating budget during the term of the LHSP Operating Grant Agreement are not allowed except in cases where a documented reason is presented in writing to the County for consideration. The project sponsor will be required to submit annual operating budgets for review and approval by the County.

Asset Management

Operating Budget and Annual Report Submission

Annual reporting and periodic housing quality inspections are the two primary tools that HCD's Asset Management staff use to monitor funded affordable housing developments, assess performance, and ensure ongoing compliance. Project sponsors who receive an award of Site-Based LHSP operating subsidy will be required to submit the proposed operating budget for the following program year, Quarterly Progress Reports (in the first year or longer based on performance) and Annual Reports on the prior year's performance during the contract term through HCD's online asset management portal. In general, LHSP-assisted units and clients must be distinctly reflected in all reporting materials including budgets, actuals, and unit lists.

Proposed Operating Budget: Due sixty (60) days before the start of the project's next fiscal year. Project sponsors are required to submit the **proposed project operating budget** for HCD's review and approval.

Annual Report: Due one hundred twenty (120) days after the completion of the project's fiscal year. Project sponsors are required to submit an **Annual Report** for HCD's review and approval. The Annual Report must include an independent bifurcated audit prepared by a third-party certified public accountant that distinguishes actual annual income and expenses for the LHSP-assisted units from the other project units to determine the amount of any operating deficits specifically attributable to the LHSP-assisted units. The Annual Report will be used to assess compliance with the requirements of the LHSP funding and importantly, to determine whether there are surpluses or deficits in operating revenues for the LHSP-assisted units, pursuant to the LHSP Operating Grant Agreement. The Annual Report must include detailed information about tenant incomes, rents, household sizes, and annual financial activity for all units in Year 1 and for the LHSP-assisted units (and any other County-assisted units) annually.

HCD's Asset Management staff uses the tenant information reported to verify compliance with the following:

- Income eligibility
- LHSP rent charges
- Occupancy and changes in household size
- Ensure expenses and fees are within limits approved under the project's LHSP Operating Grant Agreement
- Assess for variances in revenue, expenses or fees compared to the approved operating budget under the LHSP Operating Grant Agreement
- Determine the amount of LHSP surplus or deficit for the reporting period

HMIS: If reporting to the County's Homeless Management Information System (HMIS) is required, the supportive services provider will input client-level data into HMIS and the Project Sponsor (project owner) should provide any reconciliation needed between project reporting and the inputted HMIS data. In the future, additional reporting requirements may by established to support program-level analysis.

Unit Inspection Requirements & County Monitoring

Pursuant to the LHSP Operating Grant Agreement, properties receiving funding through the County's Site-Based LHSP must meet HUD's Housing Quality Standards (HQS) established at 24 CFR Part 982 https://www.ecfr.gov/current/title-24/subtitle-B/chapter-IX/part-982/subpart-I to establish the minimum quality standards necessary to ensure the health and safety of program participants. Additional information on HQS is available on HUD's website at https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/hqs.

In addition to reviewing annual compliance reporting, Alameda County's Asset Management staff will conduct periodic in-depth monitoring of projects financed by the County to determine if the projects are being operated in compliance with the terms of the County's contractual agreements with the project sponsor for the LHSP funding, as well as other applicable regulations. The monitoring will include, at minimum, an examination of tenant files and property management records to verify conformance with maximum incomes, maximum rents, and tenant income certifications. Housing Quality Inspections will also be conducted and entail a physical inspection of the project and LHSP-assisted units (per current HUD standards). On-site inspections are typically conducted by the County every three years unless otherwise required by a particular funding source. The Property Owner is strongly encouraged to complete a walk-through of units and common areas before the County's inspection to fix items that require attention and/or repair. In addition, the property owner is required to conduct annual inspections and keep records in the tenant files.

Appendix A: 2025 Alameda County FMR limits and 2024 Income limits

FY 25 FMRs by Unit Bedrooms				
Efficiency	**One-Bedroom**	**Two-Bedroom**	**Three-Bedroom**	**Four-Bedroom**
$1,937	$2,201	$2,590	$3,432	$4,077

2025 Income Limits									
Number of Persons in Household		1	2	3	4	5	6	7	8
Alameda County Area Median Income: $159,800	Acutely Low	$16,750	$19,150	$21,550	$23,950	$25,850	$27,800	$29,700	$31,600
	Extremely Low	$33,600	$38,400	$43,200	$47,950	$51,800	$55,650	$59,500	$63,300
	Very Low Income	$55,950	$63,950	$71,950	$79,900	$86,300	$92,700	$99,100	$105,500
	Low income	$87,550	$100,050	$112,550	$125,050	$135,100	$145,100	$155,100	$165,100
	Median Income	$111,850	$127,850	$143,800	$159,800	$172,600	$185,350	$198,150	$210,950
	Moderate Income	$134,250	$153,400	$172,600	$191,750	$207,100	$222,450	$237,750	$253,100