



# **CLARK COUNTY, NEVADA COMMUNITY HOUSING FUND**

## **PROJECT GUIDE & APPLICATION INSTRUCTIONS**

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For

**Development of Affordable Multi-Family Senior Rental Housing**

At

**Robindale & I-215  
Including Community Housing and Off-Cycle HOME/AAHTF funds**

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Issued by

CLARK COUNTY

LAS VEGAS, NEVADA

**Issue Date: July 8, 2024**

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**TERMS/DEFINITIONS**

The following terms are used throughout this document.

- "AAHTF" Account for Affordable Housing Trust Funds
- "AMI" area median income
- "APN" Assessor's Parcel Number
- "APPLICANT" or "APPLICANT's" any respondents to this APPLICATION including all members of the development team, aka the Developer
- "APPLICATION" a response to this solicitation
- "BCC" the Clark County Board of County Commissioners
- "CHF" Community Housing Fund
- "COUNTY" Clark County, Nevada
- "Co-Applicants" must also be Co-Owners and have a role in the ownership structure of the project
- "CRM" Community Resources Management Unit of Clark County Social Service
- "DDFA" Disposition, Development and Funding Agreement
- "HOME" HUD HOME Investments Partnerships Program
- "HUD" the United States Department of Housing and Urban Development
- "LIHTC" the federal low-income housing tax credit under Internal Revenue Code Section 42
- "NHD" Nevada Housing Division
- "SFR" Single Family Residence(s)
- "SRO" Single Room Occupancy units as defined under 24 CFR part 92

## **INTRODUCTION**

Clark County (“COUNTY” or “Clark County”) is the nation’s 13th-largest county and provides extensive regional services to more than 2.3 million citizens and, as home to the Las Vegas Strip, over 40 million visitors a year. As one of the most challenged markets in the country for housing affordability, in 2022 the Clark County Board of County Commissioners (BCC) made a historic investment to create [Welcome Home](#), a set of programs to increase affordable housing in the COUNTY.

As a part of Welcome Home, the COUNTY is offering land and funding for the purpose of developing affordable housing. This COUNTY owned SITE is in the southerly portion of the Las Vegas metropolitan area, in unincorporated Clark County.

Through this APPLICATION, the COUNTY is soliciting qualified developers to submit proposals for the development of affordable senior multi-family rental housing on a SITE currently owned by the COUNTY. The SITE will be conveyed to the developer chosen from this APPLICATION process for a project that meets the affordability needs of low to extremely low-income senior households. In addition to the land contribution, the COUNTY will also make available up to \$8 Million in CHF funds in the form of a grant or loan subsidy, and up to \$3M in Off-Cycle HOME/AAHTF funds in the form of a loan to the project.

The COUNTY recognizes the unprecedented costs facing Clark County residents, affordable housing developers, and affordable housing operators and is eager to provide support to make more affordable housing development possible through this opportunity. Through this APPLICATION the COUNTY does not intend to be the sole source, or main source, of funding for the development of this project and expects APPLICANT’s to exhaust other available funding and financing sources including 9% or 4% LIHTC, tax-exempt bonds, public or private grants, conventional bank loans, Federal or State Governmental loans, State of Nevada Growing Affordable Housing Financing Program (GAHP) financing, HOME/AAHTF funds, local and State of Nevada ARPA funds, Housing Trust Funds, etc.

## **GENERAL APPLICATION INFORMATION**

### **APPLICATION Instructions**

All those who plan to submit an APPLICATION should send an email to [chf@clarkcountynv.gov](mailto:chf@clarkcountynv.gov) and request to be added to our interested parties list. Please put "Robindale & I-215 Application Interest List" in the subject line of your email. The COUNTY will create a list of interested parties, to whom they will provide email updates, as they become available.

Written questions may be sent to [chf@clarkcountynv.gov](mailto:chf@clarkcountynv.gov) with “Robindale and I-215 Application Question” in the email subject line. **Questions** submitted prior to the Pre-APPLICATION Meeting will be answered via email collectively to the interest list group either prior to, or at the Pre-APPLICATION Meeting. **Questions** submitted after the Pre-APPLICATION Meeting must be submitted by **July 29, 2024**, and all questions with **final responses** from CHF staff will be emailed collectively to the interested parties group no later than **August 5, 2024**.

APPLICANT must complete the Summary, General APPLICATION questions, and upload all required documents. All APPLICATIONS must be submitted through **ZoomGrants**. Here is the link to the ZoomGrants APPLICATION:

<https://www.zoomgrants.com/gprop.asp?donorid=2092&limited=5167>

**No extensions will be granted.**

The COUNTY will not accept hard copies and all attachments must be uploaded to ZoomGrants. The COUNTY is not responsible for any online submission issues related to Internet connectivity or computer system limitations.

APPLICANTS must submit:

- Email to [chf@clarkcountynv.gov](mailto:chf@clarkcountynv.gov) to receive further updates and information regarding this APPLICATION (Register on the Interested Parties List).
- **APPLICATIONS no later than 11:59 pm (PT) August 8, 2024.**

### **Pre-APPLICATION Meeting**

A **Pre-APPLICATION Meeting** will be held on **July 22, 2024 at 3:00 pm (PT)**. All parties who plan on submitting a response to this Solicitation should attend the Pre-APPLICATION Meeting. The meeting will be held via virtual conference. The purpose of the meeting is to answer questions concerning the APPLICATION. An invite with meeting link will be sent to all parties included on the interested parties list.

**Threshold Qualifications:** The COUNTY will assess the APPLICANT's threshold qualifications after the APPLICATION is submitted. APPLICANTS that do not meet the following will be ineligible for further consideration:

- 1) Completed development and construction of at least one multi-family affordable housing project that used public funding associated with affordable housing in the past five years.
- 2) A demonstrated ability to finance the project proposed on commercially reasonable terms from financial institutions, including reference letters from two third-party lenders or investors.
- 3) APPLICATION and all requested narratives and attachments must be complete and received by the APPLICATION submission deadline.
- 4) APPLICANT must provide a fully completed preliminary budget and proforma using the COUNTY's Financial Feasibility Workbook, including each anticipated source of funding, and the anticipated funding amount.
- 5) The proposed activity(ies) must be eligible under the County's Program Guidelines, as outlined in this document.
- 6) APPLICANT team members must not be debarred or otherwise prohibited from conducting business with Clark County, the State of Nevada, or the Federal Government.
- 7) APPLICANT must possess a valid State of Nevada and Clark County Business License, as well as a NV Secretary of State Verification of Good Standing. If APPLICANT is from another State, provide the equivalent from your State; and if APPLICANT does not have Nevada and local business licenses at time of submission, APPLICANT must provide proof that they have applied or will apply prior to project closing.
- 8) APPLICANT must be in good standing with the COUNTY including in compliance with all previously awarded funds.

## **SITE AND DEVELOPMENT INFORMATION**

### **Property Description and Site Map**

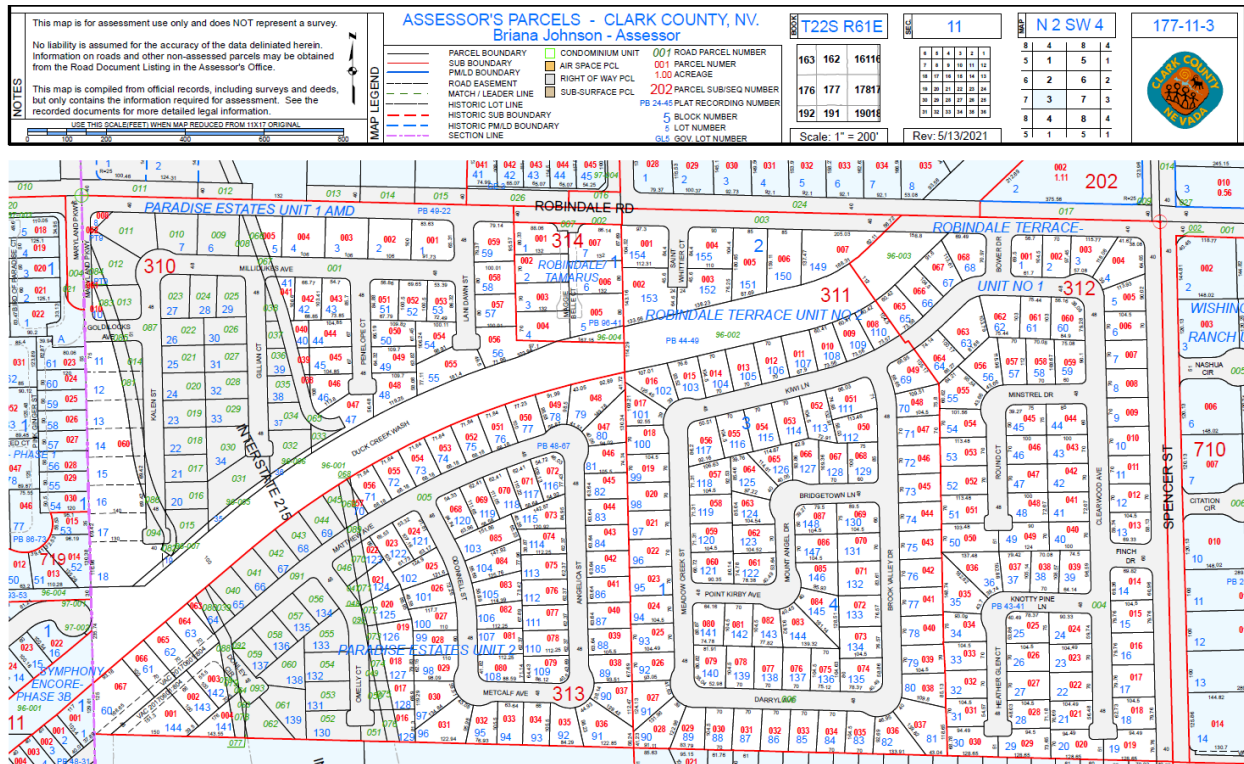
The SITE is currently owned by Clark County (Public Works) and exists as the remainder of the Paradise Estates Units 1 and 2 subdivision lots (recorded prior to the I-215 right-of-way acquisition) east of the existing I-215 with a total of 87 parcels and two dedicated roadways that can be vacated. The land area is approximately 17.25 acres, with 5.45 acres to the north (green on the Site Map) and 11.80 acres to the south (blue on the SITE Map).

The SITE is currently mapped as multiple single family residential (SFR) lots, bisected by the existing Duck Creek Wash flood control channel. The land on the north side of the channel, along the east side of I-215, contains APNs 177-11-310-001 to 177-11-310-005 and 177-11-310-038 to 177-11-310-059 plus road rights-of-way. The land on the south side of the channel, also along the east side of I-215, contains APNs 177-11-313-016 to 177-11-313-057 and 177-11-313-068 to APN 177-11-313-085 plus road rights-of-way.

The adjacent land uses consist of I-215 immediately to the west, vacant Bureau of Land Management land adjacent to the south, existing SFRs adjacent to the east and both vacant land and SFRs to the north, opposite East Robindale Road.

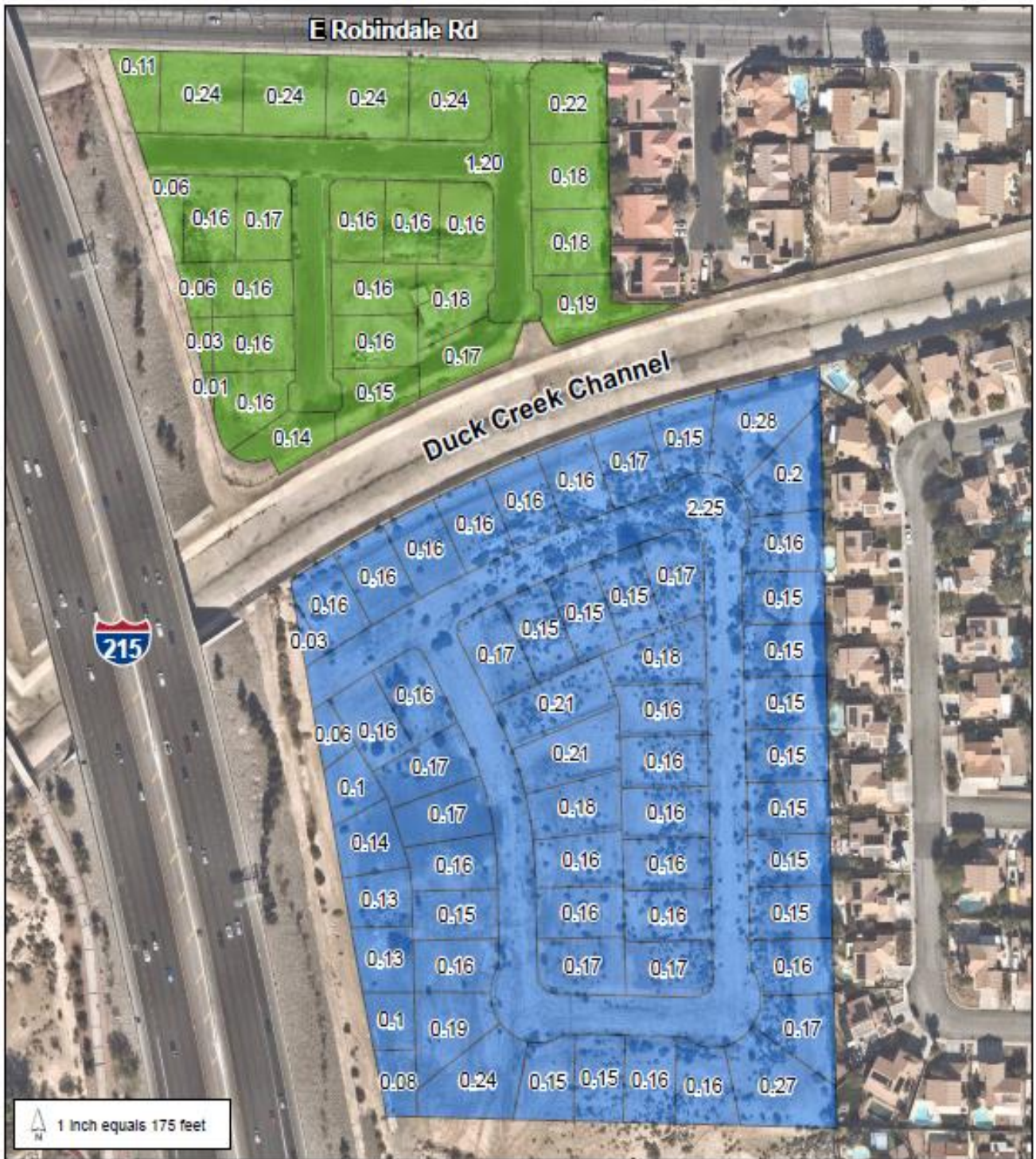
Steet improvements including curb, gutter, streetlights and sidewalks have been installed along the Robindale Road frontage with a curb cut for the existing interior streets north of the Duck Creek Wash flood control channel.


### Existing Parcel Map





**Site Map**



 <p><b>Geomatics INFORMATION SYSTEMS</b></p> <p>Date Printed: 5/8/2024 Disclaimer: This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated herein. Copyright nearmap 2015</p>	<p><span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; border: 1px solid black; margin-right: 5px;"></span> <b>Approx. 5.45 acres</b>          117-11-310-001 to 177-11-310-005;          177-11-310-038 to 177-11-310-059;          and 177-11-399-001 (R-O-W)</p>	<p><span style="display: inline-block; width: 15px; height: 15px; background-color: #6495ED; border: 1px solid black; margin-right: 5px;"></span> <b>Approx. 11.80 acres</b>          117-11-313-016 to 177-11-313-057;          177-11-313-068 to 177-11-313-085;          and 177-11-399-005 (R-O-W)</p>
	<p><b>Overall Total: Approx. 17.25 acres</b></p>	

## **Zoning, Land Use and Design Considerations**

The SITE currently has a Master Plan designation of Public Use and is zoned RS5.2 (Residential Single-Family 5.2) which allows for attached and detached single-family residential development. Creation of an affordable senior multi-family residential development at a minimum density of 18 dwelling units to the acre will require a Master Plan Amendment and Rezone.

The SITE will need to be remapped as one parcel north of the channel and one parcel south of the channel. A bridge structure for vehicular and pedestrian access will be required over the Duck Creek Wash flood channel to provide access to the south parcel as East Robindale Road, along the north side of the SITE, is the only point of ingress/egress. APPLICANT will be required to obtain an encroachment permit to construct this bridge across the Duck Creek Channel.

The interior streets and underground utilities have been installed for the northerly portion of the SITE; these existing improvements may need to be abandoned, removed and disposed. Some debris and excess SITE materials will also need to be removed and the SITE will need to be regraded. Utility access has not been ascertained for the southernly portion of the SITE. As such, APPLICANTS will need to ascertain how to obtain utilities including, but not limited to, the cost and expense associated with obtaining and providing utilities to the southernly portion of the SITE. APPLICANT will be required to dedicate a right-of-way to provide access to the parcel adjacent to the south (APN: 177-11-401-004).

The approved APPLICANT will be responsible for meeting all planning and zoning requirements for the proposed development, including gaining approval by the proper municipal, county, and state entities and related governing bodies. The approved APPLICANT will also be responsible for performing all necessary surveys, completing any required mapping and construction permitting processes, and for meeting all environmental requirements for development. All will be at the approved APPLICANT'S sole cost and expense. COUNTY is under no obligation to grant any entitlements, permits, licenses, or other approvals but will assist as needed as the owner of the SITE leading up to the land transfer per the DDFA and/or as the appropriate jurisdictional authority of the SITE.

The approved APPLICANT, along with their design team and consultants, are expected to work with area stakeholders to design a development project that will be compatible with existing development in the neighborhood. Parking and amenities must be adequate to serve the needs of the intended occupants. The project should clearly meet its target objective of providing service enriched, quality affordable senior rental housing. To the maximum extent feasible, the project should incorporate sustainability features including cutting-edge energy conservation, water smart landscaping and/or renewable energy generation to offset project energy consumption. APPLICANT will be scored on how well they meet this criteria. Clark County Comprehensive Planning has created a Sustainability Provision Checklist which requires certain sustainability measures be met for all multifamily projects. APPLICANT should consider exceeding these minimum requirements.

Development regulatory documents including the County's Master Plan and Unified Development Code (Title 30) can be found here: [County Land Use Link](#)

## **Land Donation**

The chosen APPLICANT will be required to enter into a Disposition, Development and Funding Agreement (DDFA) with COUNTY as a condition of the COUNTY granting the land to the selected developer (APPLICANT). The DDFA may consist of one or more documents to set forth the terms of construction, operation of the development and the transfer of the SITE to the developer in fee, following negotiations.



The APPLICATION may be referenced and become a part of the final DDFA. Approval by the BCC is required and may be final or tentative. Through deed restrictions and covenants, the DDFA will ensure long-term affordability in accordance with the terms of the accepted APPLICATION; will ensure construction and operation consistent with land use planning; and will include cost recovery for lack of performance by the developer, and any assignees, should it default during construction or operation of the development. Construction default may occur if the developer fails to complete the project within time limits prescribed by the COUNTY, or any other project funder.

The DDFA shall be subject to review and approval of the Clark County District Attorney's Office. At the end of the Affordability Period (as defined below), as will be outlined in the DDFA and deed restrictions and covenants, the COUNTY will have the right of first refusal.

### **Project Funding & Development Incentives**

In addition to the land donation, the COUNTY will also be contributing up to \$8M in CHF and up to \$3M in Off-Cycle HOME/AAHTF funding, with the expectation that the selected developer will seek additional sources of funding.

**CHF Funding:** APPLICANT may request: (1) Permanent Loans; and (2) Grants.

- 1) **Permanent Loans.** 9% or 4% LIHTC projects in need of gap funding may apply for permanent loans. Permanent loans for 4% LIHTC projects will have an interest rate of 3% and the term will be negotiated for repayment as no longer than 30 years, dependent on other sources of debt and cash flow projections. Principal and interest payments are required from a portion of surplus cash flows after senior debt payments have been made beginning in year one. Loans to 4% projects will be modeled after the State of Nevada's GAHP Program and APPLICANTS are expected to have applied to the State for GAHP funds as well, if available. Terms for CHF loans for those who are also GAHP recipients will be negotiated. Permanent loans for 9% LIHTC projects will have a negotiated interest rate between 0-3% and an affordability term negotiated based on other sources of debt and cash flow projections.
- 2) **Grants.** Any APPLICANT requesting a grant should make the case for why a grant is preferred to a loan, and how this grant will meet the goals of the CHF, including leveraging other funding sources.

**Off-Cycle HOME Funding:** This funding source will be structured as a loan and will comply with both Clark County and HUD HOME/AAHTF rules and requirements. It is Clark County Off-Cycle HOME/AAHTF funds that will be awarded. APPLICANTS must read the Clark County HOME/AAHTF Program Guide included in the ZoomGrants Library for requirements related to this funding source.

**DDFA Agreement:** The selected APPLICANT will enter into a Disposition, Development and Funding Agreement (DDFA) with the COUNTY, along with a separate HOME Funding Agreement, as a condition of award. Approval by the COUNTY may be final or tentative, but in any event shall be subject to funding. Construction default may occur if the developer fails to complete the project within time limits prescribed. The developer will hold the COUNTY and its employees and officials harmless to the maximum extent possible for any and all damages, of whatever nature, associated with the project. The DDFA shall be subject to review and approval of the Clark County District Attorney's Office.

CHF financial assistance will be provided in the form of a loan or a grant to the selected APPLICANT while Off-Cycle HOME/AAHTF funding will be provided in the form of a loan. The COUNTY will require all such loans to be secured by an acceptable Deeds of Trust at the time of project funding. Further, the COUNTY will require a Completion Guaranty, a Performance and Payment Guaranty, and/or a Replacement Reserve Guaranty. Funding will be awarded in an amount appropriate for the proposed

project scope to satisfy gap financing needs in conjunction with other funding resources secured by the APPLICANT. The COUNTY reserves the right to adjust the amount of CHF and/or Off-Cycle HOME funds awarded to a project, and to negotiate modifications to the proposed work plan and budget prior to executing the Agreements.

Deed restrictions must be placed on all projects that receive CHF and Off-Cycle HOME/AAHTF funds to ensure affordability regarding income and rent limitations. The COUNTY reserves the right to place conditions on projects awarded which include, but are not limited to, requiring rents to be decreased, longer periods of affordability to be met, lower income levels to be served, etc.

**The BCC must approve the DDFA Agreement, including the funding sources and amounts contained therein.** The COUNTY cannot advance CHF or Off-Cycle HOME/AAHTF funds; the recipient must incur costs and request reimbursement. CHF and Off-Cycle HOME/AAHTF funds can only be used for eligible costs allowed by each funding source incurred after a DDFA and HOME Agreement have been fully executed.

**Additional Funding Sources:** In addition to CHF and Off-Cycle HOME/AAHTF funding, which will be awarded by reimbursement as development subsidy or equity, other sources of below market financing will be necessary to meet the affordability requirements of this solicitation. APPLICANTS are encouraged to pursue funding from non-public sources, as available, to establish project feasibility and affordability in alignment with the goals of creating more affordable housing in Clark County. APPLICANTS are encouraged to incorporate all available financial tools to demonstrate project feasibility at their project AMI rent levels, in addition to the funding available through this APPLICATION. Combining multiple funding sources increases the time to complete a project, a qualified APPLICANT's experience in securing and developing projects in this manner should demonstrate their experience in these processes.

**Planning and Development Incentives:** The project SITE is in unincorporated Clark County, therefore APPLICANTS are eligible for development fee discounts and expedited processing from certain Clark County departments including the Departments of Comprehensive Planning, Building, Fire, Public Works and the Clark County Water Reclamation District. The Planning and Development Incentives for Affordable Housing documents are included within the ZoomGrants Library or [here](#) and includes details on the fee waivers and discounts, as well as how to apply. Any project that applies for fee waivers and discounts, and expedited processing, through this APPLICATION must submit that application separately to the email provided within that application. Any award of funds made under this APPLICATION does not guarantee an awardee fee discounts or expedited processing.

Clark County Department of Comprehensive Planning also provides incentives for certified affordable housing projects such as a density bonus through approval of a Special Use Permit and a reduction in required parking. These incentives are contained within the Clark County Unified Development Code (Title 30) and can be found [here](#).

### **Affordability Restrictions**

For the purposes of this solicitation, the COUNTY has established 99 years as the minimum period for which new construction projects must remain in use for affordable housing (Affordability Period). APPLICANTS may propose extended compliance periods. Unless requested and agreed to otherwise by the COUNTY:

- funding award agreements shall be executed prior to close of project funding; and
- funding agreements and close of project funding shall be final within two years of the award date.

Within one year of the date of the funds are awarded, developer must be able to demonstrate financial commitments are in place to complete the proposed project. This includes LIHTC commitments from the NHD.

The household income at initial and subsequent recertifications is to be determined using HUD Annual Income limits for the Las Vegas-Henderson-Paradise Metropolitan Statistical Planning Area. All units qualifying as affordable housing will continue to meet applicable rent restrictions for the duration of the Affordability Period. The COUNTY may consider other restrictions if the project will use HUD or other affordable housing financing.

### **Development Guidelines**

**Eligible APPLICANTS:** APPLICANTS may include validly existing entities (not individuals), including 501(c)(3) or 501(c)(4) non-profit corporations, for-profit corporations, limited partnerships, limited liability companies and joint ventures of the preceding. APPLICANTS with unresolved audit findings or recipients of a letter of concern may be ineligible.

**Prevailing Wage:** All projects awarded funds shall ensure that contractor and subcontractors are bound by and comply with all federal, state and local laws with regard to minimum wages, overtime work, hiring and discrimination. All projects that require the use of Davis-Bacon labor standards must comply with the applicable Davis-Bacon Act (40 U.S.C. 276a-276a-5) labor standards, and those requirements must apply to the entire project for the duration of construction.

**Section 3:** Section 3 is a U.S. Department of Housing and Urban Development (HUD) program to encourage the utilization of low-income workers on federally funded construction projects. It is triggered due to the Federal HOME funding provided by Clark County. Review the Clark County HOME/AAHFT Program Guide and the Clark County Section 3 Policy and Procedures included on the ZoomGrants Library for more information on the requirements of this program.

**Procurement:** As a new development, the project will be subject to the following procurement requirements (other funding sources may impose different and/or more stringent procurement requirements):

- APPLICANT is not specifically required to use formal competitive bidding procedures, however in all cases a project's costs must be reasonable and APPLICANT must have a procurement policy in place that is provided to the COUNTY prior to project closing. If the APPLICANT uses competitive bidding procedures, the APPLICANT is encouraged to get multiple bids for each contract (at least three [3] bids) and the APPLICANT is required to coordinate with COUNTY staff prior to soliciting bids and/or distributing a bid package. For projects not using competitive bidding procedures, to ensure cost reasonableness, the COUNTY may require an independent third-party cost review by a consultant acceptable to the COUNTY. Additionally, any identity of interest (related party) relationships between the APPLICANT and other development team members (e.g. general contractor, management company, etc.) must be disclosed to the COUNTY in advance.
- APPLICANT shall ensure that none of the contractors or subcontractors involved in the development of the Project are suspended, debarred, or otherwise prohibited from participating in federal-assisted contracts.

**Developer Fee:** For LIHTC projects, the limitation on developer fees is the same as allowed under the applicable LIHTC Qualified Allocation Plan (QAP). The allowable developer fee for all other projects may not exceed 15% total project cost including land and excluding the developer fee.

## **METHOD OF EVALUATION AND SCORING CRITERIA**

The APPLICATIONS may be reviewed individually by staff members through an ad hoc committee to assist the Community Housing Administrator. The finalists may be requested to provide the COUNTY a presentation and/or an oral interview. COUNTY will select an APPLICATION for award based on the factors identified below. COUNTY may make awards based on objective and/or subjective evaluation criteria, and selection will be based on which APPLICATION the COUNTY deems best suited to fulfill the requirements of this solicitation. COUNTY also may choose not to make an award if it determines an APPLICATION does not fully meet the requirements of this solicitation. The BCC will make the final decision on the award. Each APPLICANT will be notified, via email, of the results of the review.

COUNTY reserves the right to request additional information, after APPLICATION, as may be necessary to adequately assess each response. If an APPLICANT is selected, it is the COUNTY's intent to enter negotiations with the selected APPLICANT within thirty (30) days after approval of the selection of the proposal by the BCC.

In addition to other considerations, the COUNTY will score APPLICATIONS on the following criteria weighed according to points identified below:

### **Scoring Criteria**

- 1) *Developer Experience*** will be scored on the APPLICANT's ability to demonstrate experience in developing housing, with additional weight for experience developing affordable, senior multi-family housing. The experience must include the successful completion of at least one affordable housing development utilizing federal, state, county, and/or municipally awarded funding within the last five years. In addition, APPLICANTS will receive points for having:
  - at least 10 years of experience developing affordable housing projects (will be awarded 5 points);
  - either internal property management of their affordable housing properties or an affiliated property management entity, that has at least five years' successful management of affordable housing developments (will be awarded 5 points); and
  - at least two affordable rental projects constructed and managed in Clark County will be awarded an additional 5 points (APPLICANT must be part of the ownership entity for the qualifying projects). (Up to 15 points possible for Developer Experience)
  
- 2) *Project Financial Feasibility*** will be based on the COUNTY's review of the project proforma, sources and uses, and market study, showing strength and the ability of the project to meet development costs and cash flow. The COUNTY will also evaluate reasonableness of costs and the extent to which proposed funding amounts for each source are within reasonable ranges. Business terms and developer fee will also be considered in this scoring criteria. (Up to 15 pts.)
  
- 3) *Target Population and Mix of Income*** will be based on the proposed mix of units and ability to meet the housing needs of the target population between 30% – 80% AMI. A minimum of 5 points will be awarded for projects with all units at 60% AMI or below, plus the following additional points for the percentage of total units at 30% of AMI (Up to 15 pts. possible):
  - 5 points for 10%
  - 7 points for 11% to 15%
  - 10 points for 16% to 20%

- 4) **Overall Quality of Project** will be based on the COUNTY’s assessment of appearance, architecture, ability of design to fit within the style of the neighborhood and quality of proposed materials and construction. This category will also consider the integration of a bridge structure over the existing flood channel and buffering project density to existing SFR development (Up to 10 pts.)
- 5) **Developer Financial Capacity** will be based on the COUNTY’s evaluation of APPLICANT’s audited or unaudited financial statements and other documents, and overall developer financial capacity to weather unexpected development variables. (Up to 10 pts.)
- 6) **Ability to Leverage COUNTY CHF and Off-Cycle HOME/AAHTF funds** will be evaluated and scored based on funding commitments from other subsidized affordable housing funding sources. (Up to 10 pts.)
- 7) **Diversity, Equity, and Inclusion** will be based on APPLICANT’s demonstration of diversity, equity and inclusion practices both by the APPLICANT’s organization as well as through proposed affirmative marketing strategies. (Up to 6 pts.)
- 8) **Sustainability** points can be earned as follows:
  - Any points in excess of the minimum required (5 points for multi-family development) through the Clark County Department of Comprehensive Planning’s **Sustainability Provision Checklist** will earn up to 4 points. Award of these bonus points requires uploading the completed Sustainability Provision Checklist included in the ZoomGrant APPLICATION; and/or
  - Decrease of energy consumption or demand for energy on the property and exceed the energy efficiency that would be achieved under the current edition of the International Energy Conservation Code (“IECC”) by at least twenty percent (20%). (Up to 2 points).
- 9) **Project Readiness:** APPLICATION’s will receive points based on their construction timeline and ability to deliver the project in a timely manner with realistic allowances for rezoning/land use entitlements, financial commitments, construction permitting, construction, and lease-up period. (Up to 5 pts.)
- 10) **Bonus Points:** Bonus points are available for APPLICANTS that demonstrate experience working with local planning department officials, neighborhood stakeholders and elected officials through the land entitlement process. Of particular interest are examples where the development team can demonstrate success working with consultants and neighborhood stakeholders to overcome objections to proposed development projects, designing projects compatible with surrounding land uses, and working with their Surveyors/Civil Engineers to overcome site specific design challenges.

No.	Scoring Criteria	Possible Points / 100
1.	Developer Experience	15
2.	Project Financial Feasibility	15
3.	Target Population and Mix of Income (30-80% AMI) *CHF funds may only be used for 0-80% AMI units; HOME funds for Low-HOME units at or below 50% AMI	15



4.	Overall Quality of Project	10
5.	Developer Financial Capacity	10
6.	Ability to leverage CHF & Off-Cycle HOME/AAHTF Funds	10
7.	Diversity, Equity, and Inclusion	6
8.	Sustainability	6
9.	Project Readiness	5
10.	Bonus Points	8

## **SUBMITTAL REQUIREMENTS AND INSTRUCTIONS**

The COUNTY is using ZoomGrants to collect APPLICATIONS. A link to the ZoomGrants APPLICATION and submittal dates were presented at the beginning of this document. All responses submitted must be the original work product of the APPLICANT. The copying, paraphrasing or otherwise use of a substantial portion of the work product of another APPLICANT is not permitted.

This document, and these APPLICATION instructions, are intended to supplement those included in the ZoomGrants APPLICATION. The APPLICATION in ZoomGrants is divided into 3 tabs: Summary, APPLICATION Questions and Documents. There is also a Library that includes downloadable documents (including this one) that should be reviewed in conjunction with this APPLICATION. This Library is viewable when working in any of the tabs.

For questions specifically on the functioning of the ZoomGrants APPLICATION, contact ZoomGrants helpdesk at [Questions@ZoomGrants.com](mailto:Questions@ZoomGrants.com). For questions on the CHF or HOME/AAHTF programs or questions related to this APPLICATION, email them to: [chf@clarkcountynv.gov](mailto:chf@clarkcountynv.gov) with "Robindale and I-215 Application Question" in the email subject line.

### **Library Contents**

1. Robindale & I-215 Project Guide and Application Instructions (This Document)
2. Planning and Development Incentives for Affordable Housing
3. Clark County Section 3 Policies and Procedures
4. Clark County HOME/AAHTF Program Guide
5. Clark County HOME Written Agreement template

### **Summary**

This section asks for the APPLICATION Title/Project Name, the amount of funding requested and contact information for the APPLICANT, the Organization and the CEO/Executive Director.

### **General APPLICATION Questions**

Check all boxes and complete the narratives as directed. Documents referenced in the questions can be found in the Library or as downloadable templates in the Documents section. Other requested information can be uploaded in the Documents section under the appropriate title. All information requested must be entered or uploaded into ZoomGrants.

### **Documents**

The DOCUMENTS Section is where APPLICANTS upload the documents required or requested. If a downloadable template is available, it will appear as a hyperlink below the document title. Download, complete, then upload under the same document title. Document titles without a downloadable

template are for uploading documents requested in the APPLICATION. Please read the list below closely, along with any instructions provided for each document.

1. Development Team Qualifications and Relevant Experience:
  - a. A list of all members of the development team including APPLICANT, architects, engineers, contractors, financial or equity partners, lenders, service providers, and any other known participating APPLICANT entities participating in this project. If the development team includes a partnership between two organizations, include a partnership or operating agreement. If APPLICANT is a non-profit whose mission includes the development and/or management of affordable housing, include documentation of the mission and legal organization;
  - b. Relevant experience for each team member with a description of their previous projects and their roles in the referenced projects;
  - c. Describe APPLICANT's experience in developing, owning and managing affordable housing;
  - d. Provide a project list and include the following details for each:
    - i. The precise role that APPLICANT and principals of APPLICANT played in each project's development;
    - ii. Project description including dates of commencement/completion, location, concept, other land uses, size, and cost;
    - iii. Financial structure of the project, including amount and source of equity and debt financing;
    - iv. Architecture, landscape design, and photographs of the project; and
    - v. Length of time to complete project
  - e. BONUS POINTS for Experience with Entitlements: Provide at least two narrative examples of experience working with local planning department officials, neighborhood stakeholders and elected officials through the land entitlement process. Of particular interest are examples where the development team can demonstrate success working with consultants and neighborhood stakeholders to overcome objections to proposed land use changes, designing projects compatible with surrounding land uses and working with their Surveyors/Civil Engineers to overcome site specific design challenges. List examples of how your design team overcame site specific design challenges on prior projects that may be relevant to developing this SITE and please provide evidence of zoning/land use approvals from the governing jurisdiction for those approved projects.
2. Description of Project: include layout, size, number of units, unit mix, proposed character, quality of development, amenities, supportive services, site improvements, etc.
3. Site Plan and Architectural Renderings: All drawings are to be to scale, in sufficient detail, clear hard-line work with all dimensions, materials, and other notes clearly legible at 11x17-inch paper size. Any renderings submitted must be in color. Ground floor must show entries, windows, driveway entrances, urban open space areas, sidewalks and street trees. Include color elevations and a minimum of two cross sections through the most informative portions including all major elements and vertical dimensions.
4. Sustainability Elements
5. Market Study Report
6. Ownership Chart: Must show percentage of ownership and designate all entities with an ownership interest and their role.
7. Partnership or Operating Agreement: Draft is acceptable for APPLICATION.
8. Business License: APPLICANT must possess a valid State of Nevada and Clark County Business License, as well as a NV Secretary of State Verification of Good Standing (if APPLICANT is from another State, please provide the equivalent from your State). If APPLICANT does not have

business licenses at time of submission, they may provide proof that they have applied or will apply prior to project closing.

9. Sam.Gov Registration and UE ID #
10. NV Secretary of State Verification of Good Standing
11. Project Financing/Funding Letters: For all sources of funding, APPLICANT must submit associated evidence of funding. This includes LIHTC award letters, award letters for all sources of gap funding and reference letters from two third-party lenders or investors for each source of private financing. If APPLICANT has not yet been awarded all funding, evidence that APPLICANT has applied or intends to apply must be provided. If APPLICANT has not yet applied for any one source of funding APPLICANT must provide a letter stating intent to apply and date APPLICATION will be submitted.
12. Audited Financial Statements: APPLICANTS must submit three years' corporate audited financial statements and current year-to-date unaudited financials. In the event APPLICANT does not maintain audited financial statements, unaudited statements of financial condition will be accepted, if accompanied by the signed certification (provided in ZoomGrants) attesting that such unaudited financial statements reflect an accurate and complete statement of APPLICANT's assets and liabilities, statements of operations, cash flow, income and expense for each year reported.
13. Supportive Services Agreement (s) or MOUs: If you don't have any agreements, attach a document that describes your plans for providing support to the residents of the project.
14. Financial Feasibility Spreadsheet: The proposal must include a detailed preliminary budget including a 20-year project proforma. APPLICANT's budget must show the associated sources and uses as a part of the budget. APPLICANTS should indicate in their budget the needed amount of subsidy from the COUNTY; however, APPLICANTS will be scored on the most efficient use of COUNTY funds to accomplish the goals outlined in this APPLICATION. The APPLICANT must use the COUNTY's Financial Feasibility Spreadsheet (provided in ZoomGrants), filled out in its entirety.
15. 20-Year Project Pro Forma: APPLICANT's format; APPLICANTS must provide their own, internal, version of their projects pro-forma as well.
16. Development Cost and Proposed Business Terms:
  - a. APPLICANT shall clearly specify the following key business terms in their proposal:
    1. Proposed general contractor fee, both in dollar amount and percent of construction contract excluding the fee.
    2. Costs for contractor general conditions, liability insurance and payment/performance bond or letter of credit, both in dollar amount.
    3. Proposed developer fee, both the dollar amount and percent of total development costs excluding the fee (shall not exceed 15%).
    4. Other proposed Developer costs, including but not limited to overhead, salaries and benefits, mark-ups or administrative fees for third party contracts, and other costs.
17. Construction Schedule/Schedule of Performance: A proposed schedule of performance indicating key milestones of development of the proposed project commencing with the execution of the funding agreement(s), including preparation of concept drawings and working drawings, the predevelopment, land use entitlements, financing, design, construction activities, and lease up. Schedule must include a time estimate for completing the required zone change and remapping of the SITE.
18. Construction Cost Estimate

19. Diversity and Fair Housing Summary: A summary of the APPLICANT's organization's discrimination policies; diversity, equity, and inclusion strategy; as well as any specific policies or programming to promote diversity in the workplace and on the organization's governing board.
20. Diversity and Fair Housing Policies: Provide a copy of any written and enforceable Diversity and Fair Housing Policies.
21. Affirmative Fair Housing Marketing Plan
22. HUD Section 3 Certification
23. Affirmative Marketing Certification
24. Fair Housing Act Checklist-Sec504-ArchitectCert
25. Conflict of Interest Certification
26. Debarment Certification
27. Bankruptcy, Pending Litigation and Unfavorable Judgment Certification
28. Financial Statements Certification
29. HUD Form 2516: APPLICANT must create a plan, that they intend to carry out, to encourage diversity in hiring, specifically for contractor and subcontractors. A copy of the HUD 2516 Contract and Subcontract Activity report that will be requested of the Recipient annually has been uploaded for reference.
30. HOME Requirements Overview and Acknowledgement Form
31. HUD Section 3 Certification
32. Disclosure of Ownership Form

## **ADDITIONAL APPLICATION INFORMATION**

This solicitation is not a commitment or offer by the COUNTY to enter into an agreement with an APPLICANT or to pay any cost incurred in the preparation of a response to this APPLICATION. The APPLICATION and the selected APPLICANT's response may, by reference, become a part of the final DDFA and HOME Agreements between the selected APPLICANT and the COUNTY resulting from this APPLICATION. The COUNTY has sole discretion and reserves the right to reject any and all responses received with respect to this APPLICATION and to cancel the solicitation at any time prior to entering into Agreements.

The APPLICANT may take exception to, or suggest deviations from, any portion of this APPLICATION. Exceptions and deviations shall be noted in the appropriate section(s) of the APPLICATION and shall adequately and concisely describe its advantages and/or other reasons for which it is proposed. APPLICANTS are advised that any exceptions contained in the APPLICATION are by itself a sufficient basis for any decision by the COUNTY not to select that APPLICATION.

The COUNTY may request additional information or clarification of information provided in the APPLICATION without changing the terms of the solicitation. All proposals must meet the requirements as detailed in this program guide and any additional requirements of other funding sources.

### **Unique Entity ID and SAM Requirements**

APPLICANTS must be registered with SAM.gov. On April 4, 2022, the unique entity identifier (UEI) used across the federal government changed from the DUNS Number to the Unique Entity ID (generated by SAM.gov). The Unique Entity ID is a 12-character alpha ID assigned to an entity by SAM.gov. As part of this transition, the DUNS Number has been removed from SAM.gov. The downloadable SAM.gov Registration form in ZoomGrants has links to a "UEI Fact Sheet" and for assistance in transitioning from the DUNS Number to the new Unique Entity ID.

### **Contact with COUNTY During APPLICATION Process**

Communication between an APPLICANT and a member of the BCC or between an APPLICANT and a non-designated COUNTY staff person regarding the selection of an APPLICANT is prohibited from the time the solicitation is advertised until the item is posted on an agenda identifying the selected APPLICANT. Questions pertaining to this solicitation shall be addressed to the designated contact specified herein. Failure of an APPLICANT, or any of its representatives, to comply with this paragraph may result in their APPLICATION being rejected.

### **Withdrawal of APPLICATION**

APPLICANT may request withdrawal of APPLICATION at any time, provided the request for withdrawal is submitted to the COUNTY in writing.

### **Rejection of APPLICATION**

The COUNTY reserves the right to reject any or all responses to this APPLICATION, to advertise for new APPLICANTS, and to accept any APPLICATION responses deemed to be in the best interests of the COUNTY. Acceptance of any APPLICATION should not be construed as a development agreement, nor shall it indicate any commitment on the part of the COUNTY for any future action.

### **Revisions and Interpretations**

If it becomes necessary to revise any part of the solicitation, a written revision will be provided to all APPLICANTS from COUNTY. The COUNTY is not bound by any specifications by the COUNTY's employees, unless such clarification or change is provided to APPLICANT in writing from staff serving in a supervisory



capacity.

### **Public Records**

The COUNTY is a public agency as defined by state law, and as such, it is subject to the Nevada Public Records Law (Chapter 239 of the Nevada Revised Statutes). Under that law, all of the COUNTY's records are public records, unless otherwise declared by law to be confidential, and are subject to inspection and copying by any person. APPLICANT is advised that once an APPLICATION is received by the COUNTY, its contents will become a public record and nothing contained in the APPLICATION will be deemed to be confidential except proprietary information. APPLICANT shall not include any information in its APPLICATION that is proprietary in nature or that it would not want to be released to the public. APPLICATIONS must contain sufficient information to be evaluated. The funding agreement will be written without reference to any proprietary information. If APPLICANT feels that it cannot submit its APPLICATION without including proprietary information, it must adhere to the following procedure, or its APPLICATION may be deemed unresponsive and will not be recommended to the BCC for selection.

If APPLICANT needs to submit proprietary information, please send an email labeled "Proprietary Information" referencing the project's name to the COUNTY's contact. This email must contain a letter from the APPLICANT's legal counsel describing the proprietary information documents, representing in good faith that the information in each document meets the narrow definitions of proprietary information set forth in NRS 332.025, 332.061 and NRS Chapter 600A, and briefly stating the reasons why each document meets the said definitions.

Upon receipt of an APPLICATION accompanied by such a separate email, the COUNTY will open the email to determine whether the procedure described above has been followed. Any information submitted pursuant to the above procedure will be used by the COUNTY only for the purposes of evaluating APPLICATIONS and conducting negotiations. If a lawsuit or other court action is initiated to obtain proprietary information, an APPLICANT who submits the proprietary information according to the above procedure must have legal counsel intervene in the court action and defend the secrecy of the information. Failure to do so shall be deemed APPLICANT's consent to the disclosure of the information by the COUNTY, APPLICANT's waiver of claims for wrongful disclosure by the COUNTY, and APPLICANT's covenant not to sue the COUNTY for such a disclosure.

By submitting proprietary information, in consideration of the terms related hereto, the APPLICANT also agrees to fully indemnify the COUNTY if the COUNTY is assessed any fine, judgment, court cost or attorney's fees as a result of a challenge to the designation of information as proprietary. In the event that the COUNTY incurs any expenses in this regard, it shall have a right to charge said expenses made in good faith to APPLICANT. An itemized statement of expenses shall be prima facie evidence of the fact and extent of the liability of APPLICANT.

If the COUNTY determines that a document that the APPLICANT has designated "confidential" or "trade secret" is not entitled to protection from public disclosure, the COUNTY will provide notice of that determination to the contact person designated by the APPLICANT in any reasonable manner that the COUNTY can provide such notice, at least five business days prior to public disclosure of the document. If the APPLICANT does not designate anyone to receive such notice the COUNTY will not have any obligation to provide any notice of a determination of non-confidentiality. If the APPLICANT does not designate anyone to receive such notice or, if within five business days after the designated person receives such notice, the APPLICANT does not initiate a judicial proceeding to protect the confidentiality of the document, the COUNTY will not have any obligation to withhold the document from public disclosure.

## **Collusion and Advance Disclosures**

Consistent with NRS 332.820, evidence of collusion among APPLICANTS and prospective APPLICANTS acting to restrain freedom of competition may void APPLICATIONS.

Advance disclosures of any information to any particular APPLICANT that gives that APPLICANT any advantage over any other interested APPLICANT, in advance of submission of the APPLICATION, whether in response to advertising or an informal request for APPLICATIONS, made or permitted by a member of the BCC or an employee or representative thereof, may operate to void all APPLICATIONS received in response to this solicitation.

APPLICANT shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the COUNTY, the BCC or any official conducting the screening of solicitation responses, or any other organization that may have a clear interest in the outcome of the screening process for the purpose of influencing the outcome of the solicitation response selection process. APPLICANT shall not collude in any manner or engage in any practices with any other APPLICANT that may restrict or eliminate competition or otherwise restrain trade. Violation of this instruction will cause the APPLICANT's APPLICATION to be rejected by the COUNTY.

## **POST DEVELOPMENT AND MONITORING REQUIREMENTS**

As required in funding agreements and other documents, affordable housing development projects are subject to various post development and monitoring requirements. The below requirements are related to the COUNTY funding; other project funding sources may require additional requirements.

### **Progress Reports**

APPLICANT must submit progress reports to the COUNTY monthly after the Agreements have been executed, regardless of whether the project is requesting reimbursement, until construction is complete. APPLICANT must also comply with all post-construction reporting requirements throughout the affordability period.

APPLICANT's financial system must be capable of generating regular financial status reports which indicate the dollar amount allocated for each activity, including any budget revisions, the amount obligated, and the amount expended for each activity for each funding source. The system must permit the comparison of actual expenditures and revenues against budgeted amounts.

At the end of the fiscal year, the APPLICANT must submit CHF beneficiary data on all projects completed during the preceding year and a report on all contractor activity.

### **Final Cost Certification**

Upon development completion, the APPLICANT must provide to the COUNTY a certified statement of Final Development Costs prepared by an independent third-party certified public accountant. The certification will include:

- A report of all expenditures, costs, and disposition of all development and CHF and Off-Cycle HOME/AAHTF funds.
- A summary report of all work completed by budget category.
- A certification that CHF and Off-Cycle HOME/AAHTF funds provided by COUNTY were used in accordance with the applicable Agreements.
- The signature from the APPLICANT's Executive Director (or equivalent) or designated representative certifying that the information provided on the Final Cost Certification is a true

and accurate statement of Total Development Costs and expenditures of CHF and HOME/AAHTF funds for the development.

- Project photographs showing the work completed under the DDFA and HOME Agreements.
- A Project Completion Report.
- A Project Completion Report (form HUD 40097)
- A Contract and Subcontract Activity Report (form HUD 2516)