

MIAMI-DADE COUNTY

DOCUMENTARY STAMP SURTAX FUNDING

Construction Loan and Development Program

OPEN AND ROLLING APPLICATION PROGRAM

- **Rehabilitation**
- **Redevelopment**
- **New Construction Acquisition**
- **New Construction Non-Acquisition**

This application is available at:

<http://www.miamidade.gov/housing/>



Miami-Dade County
Miami-Dade Economic Advocacy Trust
601 NW 1st Court, 21st Floor – Miami, FL 33136



MIAMI-DADE COUNTY

DOCUMENTARY STAMP Surtax FUNDING (Surtax)

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THE COMPLETE APPLICATION CAN BE FOUND ONLINE AT
<https://www.miamidade.gov/global/government/trusts/economicadvocacy/home.page>

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MIAMI-DADE COUNTY

Daniella Levine Cava
Mayor

BOARD OF COUNTY COMMISSIONERS

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Chairman

Anthony Rodriguez
Vice-Chairman

Oliver G. Gilbert, III
District 1

Marleine Bastien
District 2

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District 12

Senator René Garcia
District 13

Juan Fernandez-Barquin
Clerk of the Court and Comptroller

Pedro J. Garcia
Property Appraiser

Geri Bonzon-Keenan
County Attorney

***** APPLICATION DISCLAIMER *****

Updates to this application will be posted on the Miami-Dade Economic Advocacy Trust (MDEAT) website. Applicants should periodically check the County's website for potential changes in funding availability, submission dates and/or requirements:
<https://www.miamidade.gov/global/government/trusts/economicadvocacy/home.page>

Miami-Dade County and its Department of Miami-Dade Economic Advocacy Trust does not discriminate based on race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status, gender identity, gender expression, sexual orientation, actual or perceived status as a victim of domestic violence, dating violence or stalking, or source of income in the access to, admissions to, or employment in, housing programs or activities. If you need a sign language interpreter or materials in accessible format for this event, call (305) 375-5661 at least five days in advance. TDD/TTY users may contact the Florida Relay Service at 800-955-8771.

Nothing in this Request for Application shall in any way be utilized to request documentation relating to or authorizing consideration of a proposer's social, political, or ideological interests when determining if the proposer is a responsible vendor or give a preference to a proposer based on the proposer's social, political, or ideological interests.

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MIAMI-DADE COUNTY

CONSTRUCTION DEVELOPMENT LOAN PROGRAM

SECTION A

Introduction

The Miami-Dade Economic Advocacy Trust (MDEAT), which is an agency and instrumentality of Miami-Dade County, is soliciting applications under a Request for Application (RFA) process to fund activities with Documentary Stamp Surtax (Surtax) funds. This Surtax Construction Development Loan Program is seeking proposals to address high unmet needs in affordable housing. This RFA will target single family and multi unit homeownership projects that may include acquisition, rehabilitation, and new construction with or without acquisition of County-owned property. Both for-profit and non-profit developers are encouraged to participate. MDEAT encourages development teams competing for Documentary Stamp Surtax funding to be diversified and aspire to be consistent with and reflect the diversity of the Miami-Dade County community pursuant to policies outlined in Resolution No. R-1080-14.

MDEAT has been authorized through Ordinance No. 19-121 to solicit projects for homeownership activities located on county parcels through an open and rolling application process that will be reviewed and recommended for approval by MDEAT staff in conjunction with MDEAT's contractor, the Black Business Investment Fund (BBIF). The applicant will complete the attached application package and submit to MDEAT. The County's Homeownership Program will be administered by MDEAT via its contractor, BBIF. Information on the program and how to apply can be found at <https://bbif.apply-plus.com/prequal?rc=undefined&p=129>

Applications will be accepted until further notice.

A conditional loan commitment approved by MDEAT's Board of Trustees for development activity will be provided to awardees based upon the application submitted by awardees in response to this Request for Applications. Additionally, approvals from the Miami-Dade County Board of County Commissioners (BCC) will be required to authorize the conveyance of County-owned property. Awardees must close on projects within six months of the issuance of the conditional loan commitment.

SECTION B

Definitions

Applicant: Organization submitting a proposal for funding of a housing development project.

Application Checklist: Forms identifying documents required to complete this application.
Applications lacking items and/or criteria needed to meet minimum threshold will be deemed non-responsive and will not be scored.

ALF or Assisted Living Facility: A Florida licensed living facility that complies with Sections 429.01 through 429.54, F.S., and Chapter 58A-5, F.A.C.

Audited Financial Statements: Financial Statements that have been prepared as audited financial statements in accordance with Generally Accepted Accounting Principles (GAAP) by an independent third party certified public accountant.\

Black Business Investment Fund (BBIF): A Community Development Financial Institution (CDFI), private non-profit loan fund that specializes in providing loans and financial technical assistance services to Black, minority & underserved small businesses throughout Florida. BBIF serves as MDEAT's contractor managing the loan portfolio of the MDEAT, Construction Development Loan Program.

Bond: Certificate that serves as evidence of a debt and of the terms under which it is undertaken. This includes among others, multi-family housing revenue bonds issued to finance construction of multi-family housing projects where a specified proportion of the units will be rented to moderate- and low-income families.

Certified Financial Statements: Financial statements to include, but not limited to, balance sheet, income statement, and statement of cash flows that have been prepared and certified by an independent third party certified public accountant.

Credit Underwriting (CU): An analytical process that determines the amount of financing necessary for completion of the construction and development of a project by BBIF under the direction and oversight of MDEAT. While the general intent of credit underwriting is to determine the developer's ability to repay debt, the intent of the subsidy layering review is to determine the appropriate amount of "GAP" financing and the reasonableness of cost allocations. Credit underwriting is also for the purpose of determining the terms of financing and determining whether the project is financially feasible.

County Property: Property that is owned by Miami-Dade County (County).

Developer: Any individual, association, corporation, joint venture or partnership which possesses the requisite skill, experience, and credit worthiness to successfully produce affordable housing as required in the application.

Disabled Household: Any moderate, low, very low or extremely low income household that has one or more persons who (a) have a physical impairment or mental impairment that substantially limits one or more major life components; (b) have a record of such impairment; or (c) are regarded as having such an impairment in accordance with the Federal Fair Housing Act and Chapter 11A of the Code of Miami-Dade County.

Diversity: In an effort to provide the Miami-Dade community with a full, fair and meaningful opportunity to participate in County-funded contracting regardless of race, gender or ethnic origin, Resolution R-1080-14 sets forth a request for policy to encourage applicants, that are requesting

Surtax funding, to be diversified and aspire to be consistent with the diversity of the population of Miami-Dade County's community. Applicants are encouraged to include hiring practices, mentoring programs, job creation and other planning efforts to meet the diversity of the Miami-Dade County community within their APPLICATION submissions. Bonus points will be provided for the level of diversity evidenced in Development Teams. Additionally, applicants are required to comply with Chapter 11A, which prohibits discrimination against persons based on race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status, gender identity, gender expression, sexual orientation, actual or perceived status as a victim of domestic violence, dating violence or stalking, or source of income.

Financial Beneficiary: One who is to receive a financial benefit from the proceeds of development cost (including deferred fees). This definition includes any party which meets the above criteria, such as the Developer and its principals and principals of the applicant entity. This definition does not include third party lenders, Housing Credit (HC) Syndicators, Credit Enhancers who are regulated by a state or federal agency.

Firm Commitment: Match/leverage funds must be explicit, in writing and signed by a person authorized to make the commitment, i.e., applicants MUST show proof of subsidy, such as an award letter, a board approved allocation or commitment letter from a financial institution or similar funding guarantors. The commitment must evidence funding capacity to at least develop the first homeownership unit; and provide evidence of an ability/capacity to obtain funding to complete additional homeownership units upon completion/sale of the first homeownership unit. Final decisions on the issue of "firm commitment" shall be made by MDEAT.

General Contractor: A person or entity duly licensed in the state of Florida with the requisite skills, experience and credit worthiness to successfully provide the units required in the Application.

Green Building Certification and Requirements: Green building certifications are obtained by following third-party verifiable sustainable building rating systems that require an integrated design process to ensure efficient buildings that have economic, social, and environmental benefits throughout a building's life cycle. Examples of robust verifiable green building certification standards are: Leadership in Energy and Environmental Design (LEED), Florida Green Building Coalition (FGBC), and National Green Building Standard (NGBS). Under this application, third-party verifiable green building certification is a Miami-Dade County contractual requirement for receiving Construction Development Loan Program, Surtax funding. This is a minimum threshold requirement. Applicant is required to designate which green building certification will be obtained at the time of the application. For proposed developments involving new construction units, regardless of the development category of the application, the applicant must commit that (i) each new construction unit in the proposed development that is eligible for the "Energy Certification Star new homes" (Florida standard) will achieve a home energy rating system (HERS) index of 75 or below, and (ii) each new construction unit in the proposed development that is not eligible for the Energy Star new homes will include, at a minimum, the energy features outlined in Miami-Dade County's Green Code. **Green Certification is a contractual requirement for receiving Surtax and SHIP funding. This is a minimum threshold requirement.**

Guaranty/Guarantee: An assurance provided to one party that another party will perform under a contract. A promise to be answerable for the debt or obligation of another in the event of nonpayment or nonperformance.

Hard Costs: The monetary costs of physically preparing the project site and building the structure.

Income Levels: An individual or family's economic means based on Area Median Income (AMI) standards.

- Moderate Income is above 80% AMI to 140% of AMI
- Workforce Housing Income levels are 60% to 140% of AMI
- Low – Income is 80% or below of AMI

- Very Low – Income is 50% of AMI or lower
- Extremely Low – Income is 30% of AMI or lower.

Loan Closing Costs: Costs directly associated with the loan closings which may include but are not limited to financial and legal fees.

Loan Documents or Closing Documents: The County encourages all applicants to review the Loan Documents prior to submitting any application. The County expects awardees of funds to execute the Loan Documents without any substantive revisions or edits. Any substantive changes to the loan documents are at the sole and absolute discretion of the County.

Loan Terms: Loan term for Homeownership applications is for the construction period only and is intended as an instrument to pass savings on to the end user. Loan draws will be on a reimbursement basis for work completed. Loans will be repaid at the sale of the homes to eligible and qualified buyers. See chart for actual terms and requirements of this funding.

Low Income: The Adjusted Income for a Family which does not exceed 80% of the Area Median Income.

Material Change: Project changes occurring after an initial application has been scored that would affect scoring and have an impact on both ranking and award recommendations. Also, ≥ 10% change.

Minimum Threshold Requirements: Requirements that must be satisfied for the application to be responsive. Per Resolution No. R-630-13, applicants are required to provide a detailed project budget, sources and uses statement, certifications as to past defaults on agreements with Non-County sources and clear a due diligence check (see pg. 47) prior to funding commitment. The applicant must have firm commitments for all project funding. A report of Due Diligence findings will be submitted to the Homeownership Advocacy Committee and MDEAT Board of Trust. **Applications lacking any items and/or criteria needed to meet minimum threshold will be deemed non-responsive and will not be scored.**

New Construction: Development in which 51% or more of the units in the proposed development consist of newly constructed units.

Non-Recourse: No personal liability. Lenders may take the property as collateral to satisfy a debt but have no recourse to other assets of the borrower. A Non-Recourse Loan is a loan for which the sole source of satisfaction for default thereon is the real property that was given as collateral.

Owners Equity: The value of the owner's net assets related to the property, the initial price paid for the property minus the outstanding mortgage balances and liens against the property.

MDEAT: Miami-Dade Economic Advocacy Trust, an agency or instrumentality of Miami-Dade County, or its successor agency or department.

Principal: An applicant, any general partner of an applicant, and any officer, director, or any shareholder of any applicant or shareholder of any general partner of an applicant.

Reconstruction: Reconstruction generally means the rebuilding of a structure on the same site in substantially the same manner. Reconstruction is a form of rehabilitation.

Recourse: The ability of a lender to claim money from a borrower in default, in addition to the property pledged as collateral.

Redevelopment: Development that involves demolition of structures currently existing and New Construction of units on the property.

Rehabilitation: The alteration, improvement or modification of an existing structure where less than 50% of the proposed construction work consists of New Construction. This includes but may not be limited to the installation of improvements to upgrade substandard electrical, plumbing, roofing, siding, insulation, weatherization, heating systems, hot water heaters, and dry rot repairs.

Responsible Wages and Benefits: The Miami-Dade County Board of County Commissioners established a Responsible Wages and Benefits requirement for minimum payment of specified wages to employees performing work on County construction contracts and privately funded construction on County-owned land. Responsible Wages and Benefits applies to competitively bid construction contracts valued greater than \$100,000 as defined in the provisions of Miami-Dade County's Section 2-11.16 of the Code of Miami-Dade County. The rates paid shall be not less than those contained in the Wage and Benefits Schedule in effect as of January 1st of the year the work is performed. Workers must be paid the appropriate base rate and fringe benefits on the Wages and Benefits Schedule for the classification of work actually being performed without regard to skill. **Note: Surtax funded projects on land owned by Miami-Dade County are subject to the Responsible Wages and Benefits requirement.**

Shovel Ready: A construction project that is considered to be in the advanced stages of development planning. Shovel-ready means that the project can commence construction with laborers immediately and is past the planning, engineering, and funding stages. More specifically, the Environmental Site Assessment report (Phase I and/or Phase II) are completed with a "No Further Action" recommendation, construction plans and specifications have been completed and approved by all local agencies, full funding of the construction phase is available (less the GAP funding requested) and construction is ready within thirty days of closing of financing to start, pending the selection and award of the general contractor, within one hundred twenty days (120) from the contract execution date with MDEAT.

Site Control: Applicants must demonstrate site control (e.g., recorded title, executed lease agreement, firm purchase contract, Option-to-Purchase, or Local Government Resolution) for the site proposed for funding.

Single Family Units: Single family detached units, approved manufactured homes, studios, twin home/duplexes, condominium units, (must evidence Declaration of Condominium documents recorded in the public records disclosing separate folio numbers), and town homes are eligible properties.

Small Development: A multi-family development that consists of 40 units or less and includes affordable housing.

Soft Costs: Includes costs for appraisals, attorney's fees, architectural fees, construction related engineering fees, and other development costs not associated with the actual hard construction or permanent financing of the development.

Special Needs Population: A resident or a family member that is homeless, a survivor of domestic violence, a person with an emotional, mental or physical disability or youth aging out of foster care. These households require initial, intermittent or ongoing supportive services from one or more community-based service providers or long-term care programs.

Sponsor: Means any individual, association, corporation, joint venture, partnership, trust, local government, or other legal entity or any combination thereof which, is qualified to own, construct, acquire, rehabilitate, reconstruct, operate, lease, manage or maintain a project.

Subsidy Layering Review (SLR): A financial analysis that determines the amount of Government (public) financing necessary and the reasonableness of cost allocations. **(Developer will be responsible for the cost of this analysis).**

Sustainable Buildings Program: Sections 9-71 through 9-75 within Chapter 9 of the Code of Miami-Dade County, together with Miami-Dade County Implementing Order IO 8-8, are referred to as the Miami-Dade Sustainable Buildings Program. Miami-Dade County uses its Sustainable Buildings Program to guide the process of green building certification and best practices for County public projects. County legislation requires that green building practices be incorporated into the planning, design, construction, management, renovation, maintenance and decommissioning of County public projects. As described in Chapter 9 of the Code of Miami-Dade County: “Green building practices are environmentally and socially- conscious practices that emphasize processes and methods of design and construction that (i) reduce exposure to noxious materials, (ii) conserve non-renewable energy and scarce materials, (iii) minimize life-cycle ecological impact of energy and materials, (iv) employ renewable energy or materials that are sustainably harvested, (v) protect and restore local air, water, soils, flora and fauna, and (vi) support pedestrians, bicycles, mass transit and other alternatives to fossil-fueled vehicles.”

Total Development Cost: Total development cost is the total cost of completing the project, from acquisition to the issuance of Certificate of Occupancy, including but not limited to, the cost for design, planning, zoning, variances, financing costs, legal costs, and construction and permitting. For construction and rehabilitation projects, the cost of land acquisition shall not be included in the Total Development Costs. In addition, construction costs associated with non-housing features included in the project, or those not deemed to be amenities expected of, typically provided with, or pertinent to affordable housing units, may be deducted from the total development cost by the MDEAT’s Executive Director or the Executive Director’s designee. A determination of such a deduction shall be made at the time this project's application is scored by the County.

Transit Oriented Development (TOD): A residential or commercial area designed to maximize access to public transportation that incorporates features to encourage transit ridership.

Transaction Fees: Customary closing costs for typical financial transactions.

Uniform Federal Accessibility Standards (UFAS): Uniform Federal Accessibility Standards (UFAS), 24 C.F.R. § 40, Appendix A (www.access-board.gov/ufas/ufas.pdf)

Workforce Housing Income Range: Households whose income range is established at 60% up to 140% of the most recent Area Median Income for Miami-Dade County. Chapter 33, Article XXIIA of the Code of Miami-Dade County, Florida.

Workforce Housing Unit: A dwelling unit, for which the sale, rental or pricing of which is restricted to households whose income is within the workforce housing target income range.

SECTION C

Minimum Threshold Requirements

Developments will be recommended for funding based on applications meeting all required criteria.

1. Leveraging – Developers must show with supporting documentation **ALL** sources of funding available for the proposed activity. MDEAT requires developers to provide financing from non-County sources covering a minimum of 20% of the construction cost for each proposed unit – ***This is a minimum threshold requirement.***

2. Organizational and Financial Capacity – Organizations must demonstrate that they are fiscally sound and have the skills and experience required to achieve the proposed activity. Applicant (Developer, Developer Principal, or Sponsor) must provide Audited Financial Statements by a certified independent auditor, Tax Returns with Balance Sheets, Reviewed Financial Statements and internally prepared interim financial statements. Financial statements can be provided in a separate envelope at time of application submission, however the time frame for which the information remains proprietary is limited per the language in F.S. 119.071(1)b(2). – ***This is a minimum threshold requirement.***

3. Track Record – Previously funded agencies must be in good standing, with respect to audit findings and/or timely completion of projects, have a solid track record of submitting progress reports and monitoring findings and completed projects. – ***This is a minimum threshold requirement.***

4. Site Control – Applications for housing activities must demonstrate site control. – ***This is a minimum threshold requirement.***

5. Sustainable Building (Green) Certification is a contractual requirement for receiving Surtax funding. - ***This is a minimum threshold requirement. See MCD 9-71 through 9-75 and IO 8-8.***

6. Passing the Due Diligence investigation: Applicants must pass a Due Diligence investigation on all applicants using the Due Diligence Checklist (see page 47). **Unless expressly authorized by the MDEAT Executive Director or the MDEAT Executive Director's designee (R-630-13, section 3), any entity NOT clearing the Due Diligence Investigation will NOT be recommended to the Board for funding. - *This is a minimum threshold requirement. See Resolution No. R-630-13.***

7. Receive a positive Credit Underwriting recommendation: - ***This is a minimum threshold requirement.***

8. Developers shall execute and submit the Responsible Contractor Affidavit as set forth in Section 2-11.16, et Seq. of the Code of Miami-Dade County. An authorized signatory is a President, Chief Executive Officer, Chair, Secretary, or any person that has perceived authority in the organization. MDEAT may announce a 48-hour cure period if necessary, available to applicants that do not provide the Responsible Contractor Affidavit as part of the application. ***This is a minimum threshold requirement. See Ordinance No. 14-26.***

9. Homeownership units must be sold to eligible buyers who earn a minimum of 51% AMI, up to 140% AMI.

10. Multi-family condominiums: Fannie Mae Underwriting Guidelines must be used when selling condo units. Attached are disqualifying features as a reference.

SECTION D

Credit Underwriting Analysis

Scoring Process: Requests for Surtax funds under this RFA may undergo a Credit Underwriting analysis during the scoring process to determine completeness and financial feasibility based on the documents and exhibits presented in the application. Whether an application undergoes a Credit Underwriting analysis will be determined based on funding sources and the type of construction financing presented in the application. This analysis will assist in determining if the Applicant is eligible or ineligible to proceed.

MDEAT shall make award recommendations to the MDEAT Board of Trustees for approval. Such awards may be contingent upon a favorable final Credit Underwriting recommendation. All approved recommendations for contingent awards will undergo a full Credit Underwriting Review. All documents and exhibits presented in the application as well as any additional requests from the underwriter will be reviewed and analyzed to complete a final Credit Underwriting Report in favor of or opposed to proceeding with the proposed project. ***Passing credit underwriting with a favorable review is required to effectuate awards for applicable projects.***

Development Description

- The location based on the available information within the application;
- The proposed number of units;
- The proposed unit mix, i.e., AMI, accessibility (type and number, if applicable);
- The targeted demographic, and;
- Income restrictions imposed by the financing sources identified within the application

Development Team

- The Applicant/Borrower, General Partner, Guarantors, Developer, and General Contractor

Economic Feasibility by analyzing the following documents within the application:

- Financing and equity sources represented in the application are available to the Applicant;
- The terms of the financing and equity sources meet the County's program requirements;
- Market study if applicable, can be provided after application submission.

Applicant's Budget reasonably ensures:

- General Contractor, hard cost and soft cost contingencies meet MDEAT's program requirements;
- The represented sources are adequate to complete and **sufficiently finance** the homeownership projects;
- The funds requested from MDEAT meet the program guidelines and limitations based on the information available;
- The funds requested from MDEAT will fully fund the proposed project within MDEAT's program guidelines.
- The sales price for all proposed units falls within the guidelines based on Florida law, requiring the homebuyer to be subject to loan qualifications of lenders licensed to provide mortgage financing as to the amount of the loan.

SECTION E

Policies

The number of applications recommended for funding shall be limited by the funds available at the time of application. There shall be no applications ranked beyond those that are recommended for funding. Applications are recommended for funding by category and are fully funded until the funding is exhausted.

MDEAT's Construction Development Loan Program is an open and rolling application designed to address high unmet needs in affordable housing. Applications will be accepted until further notice.

Only Applications meeting Minimum Threshold requirements will be scored. Only Applications that receive a minimum score of 70 will be considered for funding. Applications that do not achieve the minimum score criteria will be considered deficient and will remain open and pending until such time the applicant is determined not to be eligible due to lack of required information.

MDEAT requires developers to provide financing from non-County sources covering a minimum of 20% of the construction cost for each proposed unit.

Applicants proposing to develop 50 or more units will need to provide a market study at the time of application.

Developers are responsible for conducting due diligence on vacant lots in advance of inclusion in the application. The County will not reimburse, or fund unforeseen development costs not specified in the original application after funds are awarded, including infrastructure and expenses related to impediments that arise during project development.

MDEAT reserves the right to limit the risk associated with awarding funding to developers with incomplete projects or projects with unresolved issues, as such any requests for extensions on contracts and/or deeds may forfeit an award and are therefore subject to recapture.

MDEAT reserves the right to determine whether an expense is a "soft cost" or not. Construction will be monitored to determine that progress is made and draws are submitted in a timely manner and ensure that the Developer costs are paid based on the percent of construction completed.

MDEAT reserves the right to rescind or reduce awarded funds for projects that present significant material changes, including but not limited to, financing, financing terms and/or development type, or a reduction in the number of units, after being awarded funds for the project proposed in their application.

Applicants may be disqualified from consideration for funding based on poor performance or non-compliance on any other projects with MDEAT.

Developers may include **Loan Closing Costs** in the requested funding amount. It is anticipated that these costs will be absorbed into the project costs, beginning with projects funded through this Construction Development Program. BCC approved purchase prices must be sufficient to meet all repayment obligations for all loans related to the project.

Applicants must specify which Green Certification is being sought in the application (in the form of a signed certification by the applicant). Green Certification is a contractual requirement for receiving Surtax funding.

MDEAT will adhere to compliance guidelines pursuant to Resolution No. R-34-15 requiring developers to provide written notice to the County of the availability of homeownership

opportunities, including but not limited to, the number of available units, bedroom size, and sales prices of such homeownership units; requiring developers to advertise the information described in newspapers of general circulation; and post information contained in such written notice on the County's website.

MDEAT will adhere to compliance guidelines pursuant to Ordinance No.14-56 providing an incentive for private developers of affordable housing who compete for funding through the County's Documentary Stamp Surtax Program. As part of any competitive process for the acquisition, construction or rehabilitation of homeownership projects, the County shall provide additional incentives, including but not limited to awarding extra points to those developers and applicants who propose additional set-aside units for Disabled Households beyond that which may be required by applicable Federal, state, or local fair housing laws or other applicable laws.

No entity shall be considered for funding where, within the past 5 years, the entity, or any of its directors, partners, principals, members or board members have been found guilty of, or has pled guilty or no contest to, any crime related to a funding source, been sued by a funding source and been found in breach of contract or been debarred by a funding source. **Such entities shall not be eligible to receive funding.**

MDEAT will adhere to compliance guidelines pursuant to Resolution No. R-697-13 approved by the Miami-Dade County Board of County Commissioners on September 13, 2013, establishing allocations of Housing and Community Development funds for the purpose of acquiring or improving real property or for paying off debt secured by real property in excess of \$25,000, that shall be in the form of a loan. Loans shall be secured by a mortgage or other security instrument, which will be recorded in Miami-Dade County public records, and may be forgivable, so long as obligations of the recipient are fully performed.

Applicants seeking funds for Homeownership activities must adhere to MDEAT's Affordable Housing Guidelines, which can be found at <https://www.miamidade.gov/global/government/trusts/economicadvocacy/home.page>. Eligible participants in the Construction Development Loan Program must be at or below 140% AMI.

Bonus Points for Proximity to Community Services or Rapid Transit: Applicants may be eligible for bonus points depending on the project's proximity to available Rapid Transit or Community Services. Applicants submitting proposals with scattered sites must be able to demonstrate that 50% or more of the proposed sites will be located within approximately ½-mile of rapid transit, i.e., Tri- Rail, Metrorail, South Miami-Dade Transitway or the Strategic Miami Area Rapid Transit (SMART) Corridors and/or within approximately 1 mile up to 1.25 miles of community services to receive bonus points in this section. Additional Bonus points may be achieved by providing documentation that the proposed development is located within ¼-mile of a Metro-Rail or Metro-Mover station, or a stop along the South Dade Transit-Way. Note, the quarter-mile distance from housing to transit must be walkable. There must not be natural or man-made barriers, such as lakes, canals, gated communities, highways, fences, etc., that restrict the ability of residents to walk to transit.

Bonus points for Disability Set-asides: Under the Construction Development Loan Program criteria, MDEAT wants to encourage applicants to be responsive to persons with disabilities. To that end, if the application includes units (UFAS) constructed for mobility, hearing and/or visual impairments, applicants will receive 2 points for each UFAS/accessible unit with evidence of a prequalified buying household.

Bonus points for Diversity may be achieved by providing evidence of your Development Team's Diversity. Bonus points may be achieved for applicants committing to prepare the proposed project development for **Sea Level Rise** and natural environmental hazards, such as elevating AC units, or raising the building. Written plans must show in **detail** the proposed remedy for achieving

SECTION F

Submission Guidelines

- Applicants must submit an Online Application using BBIF's Loan Application Portal. Please note that you may be required to come in for a scheduled appointment with MDEAT to discuss the proposed project. Only applications submitted electronically through BBIF's Loan Application Portal will be accepted. A direct access link will be available on MDEAT's webpage. Each entity may only submit one application.
- Applications must include an **Application Cover Sheet**. This cover sheet must include the legal name of the Developer, employer identification number (FEIN), organization type, amount of funding request, Developer's address, contact person name, title, phone number and email address.
- Applicants must upload all affidavits, supporting and evidence documents to meet threshold requirements. Supporting documentation must be uploaded as attachments. Applicants must use a cover sheet identifying EACH attachment separately.
- If supporting documentation is too large for upload, applicant may upload attachments in multiple submissions, Attachment 1a, 1b, 1c, etc.
- **All supporting documentation MUST be attached as a PDF file. NO electronic links will be accepted as part of your submission in this application.**
- Coversheets must be accurately labeled, match attached documentation AND corresponding questions.
- Applicants are required to submit all information required in the application electronically. **Please note: supporting documentation must be included in the online application**
- Faxed applications will **not** be accepted.
- Miami-Dade County Disabled Housing Set-Aside Incentive - Developers desirous of building more disabled accessible units may be awarded extra points on applications.
- MDEAT will not fund an entity or an affiliate with outstanding defaulted loans, debarment actions or any other legal encumbrances with the County, State of Florida, or Federal programs regardless of the merits of the submitted proposal.
- For purposes of this application, MDEAT's Construction Development Loan Program will be administered by MDEAT via its contractor, BBIF. Information on the program and how to apply can be found at <https://www.miamidade.gov/global/government/trusts/economicadvocacy/home.page> Online applications will be accepted only through BBIF's Loan Applications portal via a link on MDEAT's website until further notice.

SECTION G

Miami-Dade Economic Advocacy Trust

Loan Terms and Conditions

| Surtax Financing Options for Construction Development Loan Program Activities | |
|--|--|
| For-Profit & Non-Profit | |
| Rate | Construction: 4% interest only during construction, up to 18 months. Principal due at point of sale but no later than one year from C.O. |
| Term | 1-year construction with sixty-days carryover for sale |
| Notes | Must adhere to other MDEAT Affordable Housing Guidelines found at https://www.miamidade.gov/global/government/trusts/economicadvocacy/home.page Borrowers' income cannot exceed 140% AMI and may only be subject to loan qualifications of lenders licensed to provide mortgage financing as to the amount of the loan. Florida House Bill 7071, as adopted on July 1, 2022 |

All loan terms are subject to modification.

SECTION H

Features and Amenities

The proposed Development must meet ALL COUNTY, STATE AND FEDERAL BUILDING CODE requirements, including but not limited to the following:

Federal and State Building Code Requirements

- *Florida Building Code (7th Edition 2020) effective January 1, 2021 as adopted pursuant to Section 553.503, F.S., or the building code edition in effect as required for local or municipal permitting.*
- *The Fair Housing Act as implemented by 24 CFR 100*
- *Titles II and III of the Americans with Disabilities Act of 1990 as implemented by 28 CFR 35, incorporating the most recent amendments, regulations and rules.*
- *The Uniform Federal Accessibility Standards (UFAS) in 24 CFR 40*
- Chapter 9, Sections 9-71 through 9-75 of the Code of Miami-Dade County, together with Miami-Dade County Implementing Order IO 8-8, referred to as the Miami-Dade Sustainable Buildings Program. **(this Green Building requirement is for Developments using County resources only)** and any other applicable requirements of other funding programs included in the Applicant's submission.
- The home should be marketable with typical features a homeowner would expect, including but not limited to washer/dryer hook-up, dishwasher, carport/garage, or other such features to enhance the home.
- Energy features outlined in any other applicable requirements of other funding programs included in the Applicant's submission.

Miami-Dade Economic Advocacy Trust

CONSTRUCTION DEVELOPMENT LOAN PROGRAM

APPLICATION FORMS

APPLICATION COVER SHEET (Attachment 1)

Construction Development Loan Program

ALL APPLICANTS

ENTITY / DEVELOPER / APPLICANT INFORMATION:

Legal Name: _____

Organization's Federal Tax or Employer Identification Number (TIN/FEIN): _____

Organization's Unique Entity Identifier # (Required): _____
 To obtain UEI #, please call 1.866.606.8220 or visit <http://sam.gov>.

Developer/Applicant Contact Person: _____ Title: _____

Phone: _____ e-mail: _____

Developer/Applicant Mailing Address _____

City _____ State _____ Zip+4 _____

ACTIVITY INFORMATION:

Activity Location/Address: _____

City _____ State _____ Zip+4 _____

If multiple sites are proposed for development or rehabilitation, please attach a separate list including: address and Commission District located in for each site.

Activity Title: _____ Category: _____

Activity Description:

Please use the following link to answer the questions below:

<https://www.miamidade.gov/global/government/trusts/economicadvocacy/home.page> County Commission

District (s) where the proposed development is located – *Please circle District number(s) or Countywide*

1 2 3 4 5 6 7 8 9 10 11 12 13 Countywide

County Commission District (s) where Developer/applicant's business is located – *Please circle District number(s)*

1 2 3 4 5 6 7 8 9 10 11 12 13

Please provide the total amount of funding requested and selection location in the appropriate blanks below.

Homeownership New Construction \$ _____

Homeownership Rehabilitation/Redevelopment \$ _____

Homeownership Acquisition/ New Construction/Rehab \$ _____

Homeownership Non-Acquisition/ Rehabilitation \$ _____

With my signature below, I attest to the accuracy of the information provided on this cover page. The information above summarizes my application submission.

Signature: _____ Name (Print): _____

Date: _____

Applicant Certification and Acknowledgement Form (Attachment 2)

By submitting the Application, the Applicant acknowledges and certifies that:

1. The proposed Development can be completed within the development schedule and budget submitted to MDEAT.
2. The Applicant's legal name as stated in the Application may be changed only by written request of an Applicant to MDEAT staff and approval of the Board (if required) after the allocation agreement is in effect.
3. Applicant shall timely provide MDEAT with any changes in funding sources or amounts. Changes in funding sources or amounts may result in a reduction in MDEAT funding and/or the need to reassess the project through additional review by MDEAT. Need to make sure it's tied to the construction cost. Requests for additional funding for awarded projects will not be considered.
4. The Principals of each Developer identified in the Application, including all co-Developers, may be changed only by written request of an Applicant to MDEAT staff and approval of the MDEAT after the Applicant has been approved for an award. In addition, any allowable replacement of an experienced Principal of a Developer entity must meet the experience requirements that were met by the original Principal.
5. The proposed Development will include (i) all construction feature commitments made by the Applicant and (ii) all required construction features applicable to the proposed Development, as outlined in the application.
6. MDEAT reserves the right to rescind or reduce awarded funds for projects that present significant material changes, including but not limited to financing, financing terms and/or development type or a reduction in the number of units, after being awarded funds for the project proposed in their application
7. The Applicant will promptly furnish supporting information, documents, and fees as may be requested or required. The Applicant understands and agrees that MDEAT is not responsible for actions taken by the undersigned prior to approval by MDEAT.
8. The Applicant, its project team and all Financial Beneficiaries have read all applicable MDEAT and County rules governing this application and have read the instructions for completing this application and will abide by the applicable Florida Statutes and program provisions outlined in application and any applicable state, city, county rules and ordinances.
9. In eliciting information from third parties required by and/or included in this Application, the Applicant has provided such parties information that accurately describes the Development as proposed in this Application.
10. The Applicant understands and agrees to cooperate with any audits conducted in accordance with the provisions set forth in Section 20.055(5), F.S.
11. The undersigned asserts that all Financial Beneficiaries of this application agree to this certification and warranty of truthfulness and completeness of the Application.

Under the penalties of perjury, I declare and certify that I have read the foregoing and that the information is true, correct and complete.

Signature of Applicant

Title and Name(printed)



MIAMI-DADE ECONOMIC ADVOCACY TRUST
Surtax Funding
Certification of Accuracy (Attachment 4)



This page must be signed by the authorized representative of the Applicant/Developer as to the accuracy and completeness of this proposal. No proposals will be accepted without this document.

I hereby certify that this proposal is complete, and all information included herein is true and accurate.

Name of Applicant/Developer: _____

Authorized Representative: _____ (print name)

Title: _____

Signature: _____

Date: _____



This material is available in an accessible format upon request.

CD/60/31516

In accordance with Section 2-11.17 of the Miami-Dade County Code, all contractors and subcontractors of any tier performing on a contract for (i) the construction, demolition, alteration and/or repair of public buildings or public works projects valued in excess of \$1,000,000 funded completely or partially by Miami-Dade County, or (ii) privately funded projects or leases valued in excess of \$1,000,000 for the construction, demolition, alteration or repair of buildings or improvements on County owned land, and which are subject to Section 2-11.16 of the Code of Miami-Dade County shall comply with the requirements of the Residents First Training and Employment Program.

- i. Prior to working on the project, all persons employed by the contractor / subcontractor to perform construction shall have completed, the OSHA 10 Hour Safety Training course established by the Occupational Safety & Health Administration of the United States Department of Labor. Such training does not need to be completed at the time of bidding but shall be completed prior to the date persons are employed on the project.
- ii. The contractor / subcontractor will make its best reasonable efforts to promote employment opportunities for local residents and seek to achieve a project goal of having fifty-one percent (51%) of all Construction Labor hours performed by Miami-Dade County residents. To verify workers' residency, firms shall require each worker to produce a valid driver's license or other form of government-issued identification.

| Address of Firm | State | Zip Code |
|-----------------|-------|----------|
|-----------------|-------|----------|

| | | |
|---------------------------------|-----------------|--------------------|
| Print or Stamp of Notary Public | Expiration Date | Notary Public Seal |
|---------------------------------|-----------------|--------------------|

23

Attachment 5



MIAMI-DADE ECONOMIC ADVOCACY TRUST

Surtax Partial Funding Certification and Acknowledgement Agreement

FOR MDEAT USE ONLY:

Partial Surtax Funding Amount Recommended: \$_____

By signing this Agreement, I, the Applicant acknowledge and certify that:

2. I am an authorized signatory for the applicant/developer/entity; and
3. The amount of the Surtax or SHIP funds above listed that may be recommended for this application titled _____ is less than the amount that was applied for in the application; however, it is sufficient to fill the gap; and
4. My development team and I will make diligent efforts to adjust the budget for this project as necessary to account for a lower amount of subsidy than was requested in the application; and
5. And that subject to successful completion of underwriting.
6. My team and I have conducted a due diligence review of the proposed lots in this application which includes a sufficient funding request for the proposed project, including costs associated with infrastructure, including roadways and water and sewer lines or connections.
7. My development team and I are prepared to proceed in completing the development as proposed in the application, and that it can be completed and operating within the development schedule submitted to MDEAT.

This is certified by my signature:

Signature of Applicant

Name (typed or printed)

Title (typed or printed)

Date

APPLICATION CHECKLIST (Attachment 6)

Please note points will **only** be awarded when supporting documentation outlined in the Application Checklist is **both accurately labeled and attached to your application**.

ALL DOCUMENTS MUST HAVE A COVER SHEET AND ATTACHMENT NUMBERS

ALL Items listed in the following checklist are REQUIRED and must be included with your application

| Tab | Document | Include Cover Sheet & Attachment Number |
|-----|---|---|
| 1. | Application Cover Sheet | Attachment 1 |
| 2. | Applicant Certification and Acknowledgement Form | Attachment 2 |
| 3. | Due Diligence Affidavit | Attachment 3 |
| 4. | Certification of Accuracy | Attachment 4 |
| 5. | Responsible Contractor/Subcontractor Affidavit Form | Attachment 5 |
| 6. | Application Checklist/Table of Contents | Attachment 6 |
| 7. | Application: Part I - General Information, | Attachment 7 |
| 8. | <p>Part II - Development Team - include name and prior experience for each principal.</p> <p>Organizational and Financial Capacity – Organizations must demonstrate that they are fiscally sound and have the skills and experience required to achieve the proposed activity. Applicant (Developer, Developer Principal or Sponsor) must provide Audited Financial Statements or a Certified Financial Statement, certified by an independent 3rd party auditor, which cannot be performed by an affiliate or staff member. Financial statements should be uploaded as attachments to the application, however the time frame for which the information remains proprietary is limited per the language in F.S. 119.071(1)b(2). – <i>This is a minimum threshold requirement.</i></p> <p>EXPERIENCE - Historical Data on Previous Completed Projects – if the Applicant is wishing to gain points for experience the Applicant must provide documentation of the experience. Preferred documentation includes building copies of Certificates of Occupancy, pictures and other documentation that establishes ownership. It is the applicant's responsibility to provide adequate documentation that directly ties certificates of occupancy to a correlating development. Certificates that cannot be associated with a specific development will not be included in the total count to receive points.</p> | Attachment 8 |
| 9. | Part III - Development Information - (Scope of Project) – Including a Description, Location, Proposed Project Site and Features and Amenities. | Attachment 9 |

| Tab | Document | Include Cover Sheet & Attachment Number |
|------------|---|--|
| | | |
| 10. | Part IV – Evidence of Site Control, Water, Sewer, Roads and Zoning Demographics and Set-Asides | Attachment 10 |
| 11. | Part V - Financing (Budget) – The applicant shall submit a total budget including sources and uses statement and leverage funds Sources (Award Letters, Signed Affidavits, and/or Letters of Firm Commitment). | Attachment 11 |
| 12. | Part VI - FINANCIAL BENEFICIARIES | Attachment 12 |
| 13. | Part VII – Homeownership Forms | Attachment 13 |
| 14. | Tax Exempt Status Letter - Attorney's letter Evidence of not-for-profit status. (if applicable) | Attachment 14 |
| 15. | IRS 990 – Determination letter Description of the not-for-profit status. (if applicable) | Attachment 15 |
| 16. | Governing Board - Names and addresses (if applicable). Role of the Not-for-profit | Attachment 16 |
| 17. | Current Articles of Incorporation and Corporate Documents - Please label and include page numbers for each of the sections listed below (if applicable). | Attachment 17 |
| 18. | Current By-Laws (if applicable) | Attachment 18 |
| 19. | Appeals or Other Pending Issues | Attachment 19 |
| 20. | Trade and Banking References | Attachment 20 |
| 21. | Bonus Points | Attachment 21 |
| 22. | Green Certification | Attachment 22 |

CONSTRUCTION DEVELOPMENT PROGRAM APPLICATION

PART I. GENERAL INFORMATION (Attachment 7)

Applicant/Developer

1. Applicant Information

Name of Applicant: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Facsimile: _____

E-Mail Address: _____

FEIN: _____

2. If not yet obtained, provide a copy of the submitted application for the Federal Employer Identification Number identify tab location and label "FEIN Number _____"

a. Is the Applicant a legally formed entity qualified to do business in the State of Florida as of the Application Deadline? Provide the required documentation label and clearly identify tab location.

☐ Yes ☐ No

b. Is the Applicant a limited partnership or limited liability company?

- ☐ Limited Partnership
- ☐ Limited Liability Company

c. Is the Applicant applying as a not-for-profit organization?

☐ Yes ☐ No

If the answer is "Yes," the Applicant must respond to (I) and (II) below. If the answer is "No," skip not-for-profit status questions and proceed to question 3 below.

(I) Provide the following documentation:

- Attorney's opinion letter clearly identify tab location.
- IRS determination letter clearly identify tab location.

(II) Answer the following questions:

- Is the Applicant a Public Housing Authority created by Section 421.04, Florida Statutes?

☐ Yes ☐ No

- Is the applicant or one of its general partners a not-for-profit entity that is an affiliate of a public housing authority created by Section 421.04, Florida Statutes?

☐ Yes ☐ No

- Is the applicant or one of its general partners a Public Housing Authority or incorporated as a not-for-profit entity pursuant to Chapter 617, Florida Statutes, or similar state statutes if incorporated outside Florida?

☐ Yes ☐ No

- If “no”, is the applicant or one of its general partners a wholly-owned subsidiary of a not-for-profit entity formed pursuant to Chapter 617, Florida Statutes, or similar state statutes if incorporated outside Florida?

☐ Yes ☐ No

- Is the applicant or one of its general partners a 501(c)(4) not-for-profit entity; or is the applicant or one of its general partners a wholly-owned subsidiary of a 501(c)(3) or 501(c)(4) not-for-profit entity?

☐ Yes ☐ No

- Does the not-for-profit entity have an ownership interest, either directly or indirectly, in the general partner or general partnership interest or in the authorized member of the authorized member’s interest in the applicant?

☐ Yes ☐ No

If “Yes”, state the percentage owned in the general partnership interest:

_____ %

(i) Percentage of Developer’s fee that will go to the not-for-profit entity:

_____ %

(ii) Provide the description/explanation of the role of the not-for-profit entity clearly identify tab location.

(iii) Provide the names and addresses of the members of the governing board of the not-for-profit entity clearly identify tab location.

(iv) Provide the Articles of Incorporation demonstrating that one of the purposes of the not-for-profit entity is to foster low-income housing clearly identify tab location.

(v) Year not-for-profit entity was incorporated.

_____ (yyyy)

3. General and Limited Partner(s), Officers, Directors and Shareholders

For a Limited Partnership, provide a list of the limited partner(s), and the officers, directors, members, and shareholders of the general partner(s) as of the application deadline, *clearly identify tab location*.

For a Limited Liability Company, provide a list of the member(s), and the officers, directors, members, and shareholders of majority-in-interest or elected authorized member(s) as of the application deadline, label

and clearly identify tab location. This list must include warrant holders and/or option holders of the proposed development.

For all other entities, provide a list of the officers and directors as of the application deadline, label and clearly identify tab location.

4. Contact Person for this Application

First Name: _____ MI: _____ Last Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Facsimile: _____

E-Mail Address: _____

Relationship to
Applicant: _____

PART II. DEVELOPMENT TEAM

(Attachment 8)

1. Developer or principal of Developer

Name of Developer: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Facsimile: _____

E-Mail Address: _____

Federal Employer Identification Number: _____

a. Corporate name(s) of each Developer (include all co-Developers):

b. Provide the prior experience for each developing entity in a chart and clearly identify tab location.

2. General contractor or principal of general contractor

a. Provide the General Contractor's name and prior experience chart, label and clearly identify tab location.

b. Is the construction company a subsidiary of the developing entity or does the Developer have an ownership interest in the construction company?

☐ Yes ☐ No

3. Architect or Engineer (if applicable)

a. Provide the executed Architect or Engineer Certification, label and clearly identify tab location. Non-Housing Credit (NHC) Applicants shall provide a copy of a current license of the Architect or Engineer.

4. Attorney (if applicable)

5. Accountant: (if applicable)

a. Provide the executed Accountant Certification form, label and clearly identify tab location. NHC Applicant shall provide a copy of a current license of the accountant.

6. Developer Experience

Please provide a list of all developed housing units completed within the last 10 years, label and clearly identify tab location.

a. Include name of Developer and development, complete address, folio number, year completed, number of units, label and clearly identify tab location.

b. Provide color photographs of all completed developments at sub subtab H-b.

c. Provide certificates of occupancy for all completed projects. To receive points, certificates of occupancy must clearly identify the development, number of units and the location. Temporary certificates of occupancy will not be considered. It is the applicant's responsibility to provide adequate documentation that directly ties certificates of occupancy to a correlating development. Certificates that cannot be associated with a specific development will not be included in the total count to receive points.

7. Organizational and Financial Capacity – Organizations must demonstrate that they are fiscally sound and have the skills and experience required to achieve the proposed activity. Applicant (Developer, Developer Principal or Sponsor) must provide Audited Financial Statements or a Certified Financial Statement, certified by an independent 3rd party auditor, which cannot be performed by an affiliate or staff member, Corporate Tax Returns with Balance Sheets, Reviewed financial statements and internally prepared interim financial statements. Financial statements can be provided in a separate envelope at time of application, however the time frame for which the information remains proprietary is limited per the language in F.S. 119.071(1)b(2). – ***This is a minimum threshold requirement.***

8. Banking and Trade references label and clearly identify tab location.

PART III. DEVELOPMENT (Scope) **(Attachment 9)**

1. Name of Development and description of the proposed project:

2. Location of Development Site: (if there are multiple sites, please attached a separate list with addresses and folio numbers).

Street Address: _____

City: _____ State: _____ Zip Code: _____

Folio # _____

a. Will the development consist of scattered sites?

☐ Yes ☐ No

If "Yes," for each of the sites provide the address, total number of units, label and clearly identify tab location.

b. Local Jurisdiction:

1. Name of local jurisdiction where development is located:

3. Will this development require rehabilitation as a historic building?

☐ Yes ☐ No

If "Yes," answer questions (a) and (b) below:

a. Date the development originally placed in service:

_____ (mm/dd/yyyy)

b. Date and cost of last rehabilitation:

_____ (mm/dd/yyyy) Cost: \$ _____

4. Development Category

a. Select the appropriate category (only one):

- ☐ New Construction (Development in which 51% or more of the units in the proposed development consist of newly constructed units.)
- ☐ Rehabilitation (The alteration, improvement or modification of an existing structure where less than 50% of the proposed construction work consists of new construction)
- ☐ Redevelopment (Development that involves demolition of structures currently existing and New Construction of units on the property.)
- ☐ Reconstruction generally means the rebuilding of a structure on the same site insubstantially the same manner. Reconstruction is a form of rehabilitation.

5. Select the appropriate Model Type:

- | | |
|---|---|
| <input type="checkbox"/> Single family detached units | <input type="checkbox"/> Duplexes/Triplexes/Quadrplexes |
| <input type="checkbox"/> Townhomes | <input type="checkbox"/> Garden Style Condominium |
| | <input type="checkbox"/> Mid-Rise Condominium |

PART IV ABILITY TO PROCEED **(Attachment 10)**

In this section, please include labels and tabs:

1. Approved Construction Plans and Specifications, an accompanying Soils Report and accompanying Phase I Environmental Site Assessment, label and clearly identify tab location.

2. Evidence of Site Control. Does the organization/applicant have documented site control? **Site control is a minimum threshold requirement to receive funding.** Applicant must demonstrate site control by providing one of the following documents for each site:

- Provide a recorded deed or recorded certificate of title label and clearly identify tab location; or
- Provide a copy of the dated and fully executed long-term lease, label and clearly identify tab location; or
- Provide a dated and fully executed contract for purchase and sale for the subject property, label and clearly identify tab location; or
- Other indications of site control such as an executed Option to Purchase or Clerk certified local government resolution.
- Provide a list of all addresses and folio numbers for the project site and **attach color photos** of the site/structure (including roof and interior), label and clearly identify tab location. Include a completed 40-year recertification (if existing building is not 40 years old or on vacant land, this does not apply); completed architectural/engineering plans; approved building and construction permits from the respective municipality and/or county for the proposed project. Property must be free of any Building Code violations and if there are existing violations a copy of the violation(s) must be provided from the municipality with a plan of how they will be address.

| Site Address | Folio Number |
|--------------|--------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

If there are multiple sites, please attached a separate list with address and folio numbers.

3. Evidence of Infrastructure Availability. MDEAT reserves the right to determine the appropriateness of documents submitted by the applicant.

- Electricity – Provide a letter from the provider or the Verification of Availability of Infrastructure Electricity Form or a copy of an electrical bill for service to the subject property, label and clearly identify tab location.
- Water – Provide a letter from the provider or the Verification of Availability of Infrastructure Water Form or a copy of a water bill for service to the subject property, label and clearly identify tab location.

- Sewer, Package Treatment or Septic Tank – Provide a letter from the provider or the Verification of Availability of Infrastructure – Sewer Capacity, Package Treatment, or Septic Tank Form or a copy of a sewer bill for service to the subject property, label and clearly identify tab location.
- Roads – Provide a letter from the appropriate Local Government or the Verification of Availability of Infrastructure – Roads Form, label and clearly identify tab location.

4. Evidence of Appropriate Zoning:

- New Construction Development/Redevelopment – Provide a properly completed and executed Local Government Verification Form that development is consistent with zoning and land use regulations form, label and clearly identify tab location.

OR

- Rehabilitation/Substantial Rehabilitation Developments – Provide a properly completed and executed Local Government Verification Form that development is consistent with zoning and land use regulations or a properly completed and executed Local Government Verification Form that states permits are not required for this development

PART V. DEMOGRAPHIC COMMITMENT AND SET-ASIDES (Attachment 11)

1

a. Family – Development will serve the general population.

☐ Yes..... ☐ No

b. Disability – Will the project include any disabled units?

☐ Yes..... ☐ No

No of units or Percentage set-aside for Disabled _____

PART VI. FINANCING (Attachment 12)

Applicants must submit a total budget at Tab 10 including sub tabs and include a list of all committed funds for the proposed project. Budget section must include sources and uses statement; evidence of leveraged funding, such as award letters, signed affidavits, and/or letters of firm commitment.

When completing the budget all appropriate fees must be included.

Project development costs (including fees and soft costs) should reflect a pro-rata share of the total funding awarded by the County and other funding sources.

For purposes of this application, evidence of a firm commitment include the following:

- Documented evidence of funding commitment from an industry recognized financial institution or other established entities (e.g., Philanthropic foundations, etc.)
- Documented evidence of initial underwriting by a lender or from a financial source

Applicants may use this section OR a separate form for operating budgets and pro-formas.
DEVELOPMENT COST PRO FORMA

| PROJECT COST | Costs |
|--|-------|
| <i>Actual Construction Cost</i> | |
| Demolition | |
| New Units | |
| Rehab of Existing Homeownership/Rental Units | |
| Accessory Buildings | |
| Recreational Amenities | |
| Rehab of Existing Common Areas | |
| *Other (explain in detail) | |
| A1. Actual Construction Cost | |
| Contingency (explain in detail) | |
| A1.1 Sub-Total | |
| A1.2 General Contractor Fee cannot exceed 14% | |
| A1.3 Total Actual Construction Cost | |
| <i>Financial Cost</i> | |
| Construction Loan Credit Enhancement | |
| Construction Loan Interest | |
| Construction Loan Origination Fee | |
| Bridge Loan Interest | |
| Bridge Loan Origination Fee | |
| Permanent Loan Credit Enhancement | |
| Permanent Loan Origination Fee | |
| Reserves Required By Lender | |
| A2. Total Financial Cost | |
| <i>General Development Cost</i> | |
| Accounting Fees | |
| Appraisal | |
| Architect's Fee – Design | |
| Architect's Fee – Supervision | |
| Builder's Risk Insurance | |
| Building Permit | |
| Brokerage Fees – Land | |
| Brokerage Fees – Building | |
| Closing Costs – Construction Loan | |
| Closing Costs – Permanent Loan | |
| Engineering Fee | |
| Environmental Fee | |
| Environmental Report | |
| *Impact Fees (list in detail) | |
| Inspection Fees | |
| Insurance | |
| Legal Fees | |
| Market Study | |
| Marketing/Advertising | |
| Property Taxes | |
| Soil Test Report | |
| Survey | |
| Title Insurance | |
| Utility Connection Fee | |
| *Contingency (7) (explain in detail) | |
| A3. Total General Development Cost | |

| | |
|---|--|
| B. Development Cost (A1.3+A2+A3) | |
|---|--|

| | |
|---|--|
| <i>ACQUISITION COST OF EXISTING DEVELOPMENTS (EXCLUDING LAND)</i> | |
| Existing Buildings | |
| *Other (explain in detail) | |
| C. Total Acquisition Cost | |

| | |
|---------------------------|--|
| <i>LAND COST</i> | |
| D. Total Land Cost | |

| | |
|--|--|
| E. Total Development Cost (B+C+D) | |
|--|--|

Explanation of Other costs.

| | | |
|---|---------------|--------------------|
| Actual Construction Cost – Other | Amount | Description |
| | | |
| | | |
| General Development Cost – Other | Amount | Description |
| | | |
| | | |
| Acquisition Cost - Other | Amount | Description |
| | | |
| | | |

CONSTRUCTION OR REHABILITATION ANALYSIS

| | | |
|---|---------------|-------------------------------|
| | Amount | Documentation Attached |
| A. Total Development Cost | | |
| B. Sources | | |
| County Funds | | |
| First Mortgage Financing | | |
| Second Mortgage Financing | | |
| Third Mortgage Financing | | |
| Grants | | |
| Equity – Partner's Contribution | | |
| Other: | | |
| Other: | | |
| Total Sources | | |
| C. Financing Shortfall (A minus B) | | |

PERMANENT ANALYSIS

| | | |
|----------------------------------|---------------|-------------------------------|
| | Amount | Documentation Attached |
| A. Total Development Cost | | |
| B. Sources | | |
| C. County Funds Requested | | |

PART VII. FINANCIAL BENEFICIARIES **(Attachment 13)**

FINANCIAL BENEFICIARIES DISCLOSURE: Applicants seeking funds under this application must include and fully disclose any person or entity categorized as a financial beneficiary as defined by Rule 67-48.002, F.A.C.

FAILURE TO ACCURATELY AND FULLY DISCLOSE ALL REQUESTED INFORMATION WILL RESULT IN REJECTION OF THE APPLICATION.

Financial Beneficiary Disclosure for the proposed development to be included behind Tab 11:

On the chart below list the names of all persons or entities that are financial beneficiaries as defined by Rule 67-48.002, F.A.C. in the proposed development excluding limited partner investors through housing credit syndication, third-party lenders, and third-party management agents for each application submitted.

| Name of Financial Beneficiary |
|-------------------------------|
| |
| |
| |
| |
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PART VIII – HOMEOWNERSHIP UNITS **(Attachment 14)**

A. Units and Sales Prices

Miami-Dade County Assisted Units

| | A | B | C | D |
|--------------------|---------------|------------|--------------------------|----------------------------|
| % of Median Income | # of Bedrooms | # of Units | Sq. Ft. of Living Area** | Sales Price per square ft. |
| | 0 | | | \$ |
| | 1 | | | \$ |
| | 2 | | | \$ |
| | 3 | | | \$ |
| | 4 | | | \$ |
| | | | | |
| | TOTAL | | | \$ |

Non-Miami-Dade County Assisted Units

| | A | B | C |
|--------------------|---------------|------------------------|-----------------------------|
| % of Median Income | # of Bedrooms | Sq. Ft. of Living Area | Sales Price per square ft.* |
| | 0 | | |
| | 1 | | |
| | 2 | | |
| | 3 | | |
| | 4 | | |
| | 5 | | |
| | TOTAL | | |

****Living area should be defined as only air-conditioned spaces.**

NOTE: The information provided on this page will be used as the basis for contract compliance, should the development be funded.

CONSTRUCTION DEVELOPMENT LOAN PROGRAM APPLICATION SCORE SHEET

| CONSTRUCTION DEVELOPMENT LOAN PROGRAM | | | |
|--|--|------------------|-------|
| SCORING SHEET | | | SCORE |
| 1. Ability to Proceed | | 50 Points | |
| a. Does Applicant have documented Site Control THRESHOLD | | | |
| Yes | | Passes Threshold | |
| No | | Fails Threshold | |
| b. Has public approval, such as land use, zoning and variances been obtained to carry out the project? | | | |
| Yes | | 20 points | |
| No | | 0 points | |
| c. Is there appropriate infrastructure or access to infrastructure for this project? (<i>i.e., water and sewer connections, roadway access, and electric service</i>) | | | |
| Yes | | 5 points | |
| No | | 0 points | |
| d. Permit Documents (New Construction/ or Rehabilitation) | | | |
| Master Permit Issuance | | 20 points | |
| Permit ready letter w/approved construction plans | | 7 points | |
| Copy of building process number | | 5 points | |
| e. Copy of fully executed GC contract | | 5 points | |
| 2. Experience of Development Team (based on RFA submittal) For purposes of scoring, to receive points for developer experience applicant must provide proof of unit development including certificate of occupancy. If a developer can demonstrate proof of "recent experience" at 2b. Additional points will be awarded. Specify if the experience on a development-by-development basis is for multifamily or homeownership. (specific to HO units) and possibly | | 25 Points | |
| a. Experience of Development Team (based on RFA submittal) Units completed with Certificate of Occupancy (must provide copies of CO's in the application) | | | |
| More than 50 units | | 12 points | |
| 49-25 units | | 10 points | |
| 24-12 units | | 9 points | |
| 11-1 units | | 7 points | |
| 0 units | | 0 points | |
| b. Homeownership Units completed with Certificate of Occupancy (must provide copies of CO's in the application) | | | |
| More than 50 units | | 8 points | |
| 49-25 units | | 6 points | |
| 24-12 units | | 5 points | |
| 11-1 units | | 4 points | |
| 0 units | | 0 points | |
| c. Recent Experience – Projects completed within the last 4 years (based on units counted above) | | | |
| 51% or more of the units | | 5 points | |
| Less than 51% of the units | | 2 points | |

| | | |
|---|------------------|-----------|
| No | 0 points | |
| 3. County subsidy including Surtax, CDBG, HOME, GOB or other County resources and funding requested in current application on a per unit basis. | 12 Points | |
| Greater than or equal to 61% - 85% per unit | 7 points | |
| 60% - 41% per unit | 8 points | |
| 40% - 29% per unit | 9 points | |
| 30% - 15% per unit | 10 points | |
| Less than 15% per unit | 12 points | |
| | | |
| 4. Construction Features – Does the development commit to providing Green building Certification? THRESHOLD | Threshold | |
| Green Certified (Compliance with U.S. Green Building Council's LEED rating system or other certification where approved by the Office of Sustainability) Yes | Passes Threshold | |
| No | Fails Threshold | |
| | | |
| BONUS POINTS | | 35 |
| B1. Proximity to Community Services or Rapid Transit Services | 11 points | |
| Choose 1 transit service a or b | | |
| a. Located within approximately ½ mile of the Strategic Miami Area Rapid Transit Corridors (<i>map of SMART plan can be found on MDEAT website</i>) | 2 points | |
| b. Located within approximately ½ mile of rapid transit (Tri-Rail, Metrorail or South Miami-Dade Transitway) | 4 points | |
| c. Located within ¼-mile of rapid transit (Tri-Rail, Metrorail, Metromover or South Miami-Dade Transitway) | 6 points | |
| d. Located within 1/10-mile of rapid transit (Tri-Rail, Metrorail, Metro-mover or South Miami-Dade Transitway) | 7 points | |
| Recreation and health facilities (choose 1, a or b) | | |
| a. Within 1 mile of development | 4 points | |
| a. Within 1.25 miles | 3 points | |
| B2. Timely Completion of Projects The developer agrees to complete units within agreed upon time at contract execution, evidence by a certificate of occupancy. (<i>Liquidated damages will accrue at a rate of \$150 per day for each day the completion of work exceeds the established completion date and will be deducted from final payment of the contract.</i>) | 8 Points | |
| 1 - 4 Units completed in 6 months | 2 points | |
| 5 - 9 Units completed in 12 months | 3 points | |
| 10 -14 Units completed in 18 months | 4 points | |
| 15 - 19 Units completed in 24 months | 6 points | |
| 20 or more units completed in 36 months | 8 points | |

| | | | | | | | | | |
|--|-----|--------------------------------|-----------------------|--|--------------------------|-------------------------|------------|----------|--|
| B3. Disability Set-Asides Does the proposed project provide UFAS set aside units for disabled households, including mobility, hearing and visually impaired individuals? Evidence of approved building plans with UFAS features AND a pre-qualified buying household with UFAS needs is required to receive these bonus points. Documentation from: (a) a third-party agency qualified to determine UFAS eligibility and certified by state federal or local licensing entities, or (b) a Florida licensed medical doctor or osteopathic physician, can be used as evidence of the UFAS needs of the pre-qualified buying household. | | 3 Points | | | | | | | |
| Does the project commit to UFAS set-asides | | | | | | | | | |
| | Yes | 3 points | | | | | | | |
| | No | 0 points | | | | | | | |
| B4. Diversity in Development Teams To achieve points, for this section, developers should provide evidence (through narrative and other documentation – 4 pages max) of the team’s diversity in this project. Diversity can be achieved either through the Developer’s own internal hiring practices, planned mentoring activities or through inclusion of these practices within the required development team components in the application such as Architect, Engineer, Attorney and other essential staff/professionals. Diversity can also be achieved through MBE/WBE/DBE contracting practices specific to this application for which Surtax funds are being requested. Community Breakdown Chart from Resolution R-1080-14 <table border="1"> <tr> <td>Miami-Dade’s Diverse Community</td> </tr> <tr> <td>65.6% Hispanic/Latino</td> </tr> <tr> <td>16.8% Non-Hispanic Black or African American</td> </tr> <tr> <td>15.0% Non-Hispanic White</td> </tr> <tr> <td>1.6% Non-Hispanic Asian</td> </tr> <tr> <td>1.0% Other</td> </tr> </table> | | Miami-Dade’s Diverse Community | 65.6% Hispanic/Latino | 16.8% Non-Hispanic Black or African American | 15.0% Non-Hispanic White | 1.6% Non-Hispanic Asian | 1.0% Other | 5 points | |
| Miami-Dade’s Diverse Community | | | | | | | | | |
| 65.6% Hispanic/Latino | | | | | | | | | |
| 16.8% Non-Hispanic Black or African American | | | | | | | | | |
| 15.0% Non-Hispanic White | | | | | | | | | |
| 1.6% Non-Hispanic Asian | | | | | | | | | |
| 1.0% Other | | | | | | | | | |
| B6. Sea Level Rise Bonus points may be achieved by providing documentation within the application that the development will prepare for sea level rise and natural environmental hazards, such as elevating AC units, or raising the building. | | 2 Points | | | | | | | |
| B7. Not-for-Profit as member of development team. Not-for-Profit must be at least 51% owner. | | 4 Points | | | | | | | |
| | Yes | 4 Points | | | | | | | |
| | No | 0 Points | | | | | | | |
| B8. Developer will contractually commit to wind mitigation features for each housing unit. | | | | | | | | | |
| | | TOTAL SCORE | | | | | | | |

Due Diligence Check List

MDEAT will adhere to compliance guidelines pursuant to Resolution No. R-630-13 approved by the Miami-Dade County Board of County Commissioners on July 16, 2013, requiring a Due Diligence investigation on all applicants using the following websites and/or reports:

Miami-Dade Office of the Inspector General

Vendor registration documents, affidavits and applicable licenses

Florida Department of Business and Professional Regulation

Insurance and/or bonds as applicable

SBD Violations Reports

Florida Convicted Vendor List

Contractor Debarment Report

Delinquent Contractors

Goal Deficit Mark-Up Report

Suspended Contractors

Florida Suspended Contractors

Federal Excluded Parties List System

Sudan-Iran Affidavit

State of Florida Corporations

Capital Improvements Information System

A&E Technical Certification Report

Pre-Qualification Report

Web search for compliance and performance (Better Business Bureau and other jurisdictions)

Reference checks for contracts with similar scope (other County departments, agencies and firms)

Tax Returns, Financial Statements (Audited), Pro Forma statements, and other financial documents

Local Public Records Search (Miami-Dade Clerk of Courts)

Dun & Bradstreet Financial Reports

Public Access to Court Electronic Records (PACER)

Reference List

Codes and Ordinances:

Miami-Dade County Code 9-71 through 9-75 and Implementing Order 8-8 Sustainable Buildings Program: MDEAT will adhere to compliance guidelines pursuant to Sections 9-71 through 9-75 of the Code, together with Miami-Dade County Implementing Order IO 8-8, MDEAT will adhere to compliance guidelines pursuant to Sections 9-71 through 9-75 of the Code of Miami-Dade County. Sections 9-71 through 9-75 of the Code, together with Implementing Order IO 8-8, are referred to as the "Sustainable Buildings Program." which applies to building(s) owned, financed and/or operated by Miami-Dade County. Sustainable Building (Green) Certification through an independent third-party verifiable sustainable building standard is a contractual requirement for receiving Surtax funding. Applicant must certify to the Green Certification and specify which certification is being sought at the time of application. **Green Certification is a contractual requirement for receiving HOME, Surtax and SHIP funding. This is a minimum threshold requirement.**

Ordinance No. 14-26: MDEAT will adhere to compliance guidelines pursuant to Ordinance No.14-26 expanding training and employment opportunities for County residents for buildings or public works projects funded completely or partially by Miami-Dade County. Developers shall also execute and submit the Responsible Contractor Affidavit as set forth in Section 2-11.16, et Seq. of the Code of Miami-Dade County. **This is a minimum threshold requirement.**

Resolution No. 630-13: MDEAT will adhere to compliance guidelines pursuant to Resolution No. R-630-13 approved by the Miami-Dade County Board of County Commissioners on July 16, 2013, requiring (1) Entities certify that within the past five (5) years, neither Entity nor its directors, partners, principals, member or board members (i) have been sued by a funding source for breach of contract or failure to perform obligations under a contract; or (ii) have been cited by a funding source for non-compliance or default under a contract; or (iii) have been a defendant in a lawsuit based upon a contract with a funding source; and (2) Provide a detailed project budget and sources and uses statement which shall be sufficiently detailed to show (i) total project cost; (ii) the amount of funds used for administrative overhead costs; (iii) amount of funds designated toward the provision of desired services or activities; and (iv) profit to be made by the person or entity. Complete and report a Due Diligence investigation on all applicants using the Due Diligence Checklist. **Unless expressly authorized by the County Mayor or the County Mayor's designee, any entity NOT clearing the Due Diligence Investigation will NOT be recommended to the Board for funding. This is a minimum threshold requirement.**

Resolution No. R-1080-14: MDEAT will encourage development teams to include a diversified team of professionals to be reflective of the Miami-Dade population.

Resolution No. R-34-15: Developers are required to provide written notice to the County of the availability of homeownership opportunities, including but not limited to, the number of available units, bedroom size, and sales prices of such homeownership units; requiring developers to advertise the information described in newspapers of general circulation; and post information contained in such written notice on the County's website.

Ordinance No. 15-127: Ordinance creating Article XII of Chapter 17 of the Code establishing Homebuyer Loan Program using Documentary Surtax funds; establish program for certifying qualified loan officers to approve participant homebuyers; establish program for certifying qualified closing agents; establishing essential terms of the program; amending section 29-7 of the Code to make the Documentary Surtax program consistent with the Homebuyer Loan Program.