

Homeless Housing and Assistance Program (HHAP) Request for Proposal Question and Answers

This document will be updated periodically with the most current update at listed first, consisting of questions received since the previous update, and answers thereto.

UPDATED 8/10/23

ESSHI

Question: Section C-3, Program Description, Question 2) c. regarding referrals, in the HHAP Application (page 40) requests how projects of 15 or more ESSHI-qualifying individuals, with 30 or more dwelling units that serve a Medicaid eligible population will achieve the ESSHI requirement to set aside 25% of the designated ESSHI units for high-cost, high-need Medicaid users. Per Round 7 of the ESSHI RFP, this is no longer a requirement of ESSHI. Is there separate MRT requirement for HHAP?

Response: There is no specific MRT requirement for HHAP funding. The questions contained in the HHAP application regarding MRT designated units pertain to ESSHI projects that may require compliance. The Round 7 ESSHI (September 2022) RFP did not include a MRT requirement, as such HHAP applicants with a Round 7 conditional award may respond with not applicable.

Eligible Applicants

Question: Can a General Contractor (GC) be part of the ownership structure, if the non-profit holds 51% controlling interest?

Response: No, a GC cannot be part of the ownership structure when applying for HHAP funding. Per the HHAP RFP, Appendix G – Conflict of Interest (page 65), “No member of the board of directors of any contracting entity or officers of such entity, or employees of a municipality entering into a contract under the Homeless Housing and Assistance Program, nor any member of their immediate families, may receive financial remuneration directly or indirectly under the contract.” As the GC would be reimbursed for services with HHAP funding, the GC involvement in the ownership structure is not eligible.

Application Preparation/Forms

Question: Should the applicant include organization/financial documents (certificate of incorporation or equivalent docs, audited financial statements) for a subcontractor that would be providing some of the supportive services?

Response: If the supportive services entity will be in the ownership structure, you may include them as a co-sponsor and incorporate their agency’s documentation. If the entity will only be providing support services, a linkage agreement is sufficient.

Question: The instructions state:” One full set of architectural plans and copies of plans reduced to letter size (8 1/2” x 11”)”. Does that mean that we simply take the full size (24"x36") sheets and

do a "fit to page" for 8-1/2"x11" paper? Or should we create separate 8-1/2"x11" plans in addition to the full-size set of drawings. Do the "as-is" (existing) floor plans have to be full size AND 8 ½ x 11? For those drawings that do have to be full size, is it one set per the five bound copies or one full set with each copy?

Response: One full set is required with the original application, reduced size to 8 ½" X 11" should be included with all additional copies. "As is" (existing) floor plans should be a reduced size.

Question: On page 3 of the HHAP RFP states that priority points will be given to supportive housing projects targeted to long-staying families in emergency housing. What is the definition of long staying? Is there a minimum length of stay to meet this priority?

Response: For the purposes of the HHAP Request for Proposals (RFP), long staying families in emergency housing is defined as families having an average length of stay in family shelter greater than the average length of stay for that Continuum of Care.

Question: If applying for a project that has three buildings, all on one site, do we need to fill out separate A-4 Building Information Exhibits for each building or is that really in the case of scattered site projects?

Response: If the sites share the same Section, Block, and Lot information one A-4 is sufficient.

Question: For Exhibit D-1, do both the applicant and co-applicant need to be prequalified in the Grants Gateway and have documents uploaded or is it sufficient for a co-applicant to be prequalified and an applicant to submit hard copies?

Response: All applicants need to be pre-qualified in Grants Gateway. If there is a joint venture, with a for-profit, or a Tax Credit project, the non-profit needs to be pre-qualified in Grants Gateway only.

Question: If construction documents are available, is it preferred that these are submitted in Exhibit E-10 or a reduced set only showing what is requested? If the full set is preferred, please confirm if all trades should be submitted as hard copies, only in the electronic copies, and/or the full-size printed set.

Response: The most advanced level of drawings that are available should be submitted. Per the HHAP RFP Application, *"One full set of architectural plans and copies of plans reduced to letter size (8 ½ x 11) must be provided with each hard copy of the application submitted. Plans included in the electronic copy of the submission should be provided in .pdf format and printable to a maximum of ledger sized paper."*

Question: For Exhibit E-8, in NYC, is a letter from a licensed architect certifying that the site is not in a Special Flood Hazard Area with a FEMA map attached sufficient as equivalent official determination?

Response: No, per the HHAP RFP Appendix A Application Requirements, Exhibit E-8 Flood Plane Letter from the appropriate jurisdictional authority when indicating whether the project site(s) is in a Special Flood Hazard Area (SFHA).

Question: For a Low-Income Housing Tax Credit project, does the Limited Partnership need to be formed at the time of application submission?

Response: No, at the of application stage the applicant is the non-profit. The Limited Partnership can be created later.

Question: The HHAP RFP requires notification to the local planning board. With regard to the local planning board, does this pertain to the village's local planning board or the county's local service planning board?

Response: Notification should be made to the local planning board responsible for approving building permits.

Question: In D1, Applicant Information and Financial Statement, there is a request for a Current Organization Chart. Is this an entity chart or more of a staffing and program chart?

Response: D1 is requesting an Organizational Chart for the non-profit agency applying for HHAP funding.

Question: In D3, Required Certifications, the Non-Collusive Bidding Certification, is that something the Applicant signs or our General Contractor?

Response: The Non-Collusion Bidding Certification is requesting a signature from the applying agency (applicant).

Question: In the Agency Information Matrix on pages 43-44 of the application, is it correct that the items that are greyed out in the "Include with Application" column should not be included in the application, but should only be uploaded to the Document Vault in Grants Gateway?

Response: Documents can be included in the application or provided via Grants Gateway.

Question: The application references source documentation, so do we need to provide copies of any source documentation used or just make reference to it

Response: Yes, sources of data referenced should be footnoted.

Question: Can you give me an idea of what the approximate turnaround time might be from submission of the application until we have a decision from you? And, once an award is made, how long is it between award letter and contract execution (assuming we turn around your paperwork promptly)?

Response: The HHAC Board for approves all awards. The HHAC Board meeting on the first Wednesday of every even month. From application submission to HHAC Board recommendations typically takes approximately three months. From award letter to contract varies based on the pre-development needs of the awardee. HHAC has a two-part contract process, Pre-Construction, if funds are needed prior to construction; and Final Award, when construction activities are to commence. The execution of the Final Award Agreement requires all Architectural drawings to be reviewed and approved, as well as the entire General Contractor bid selection process to be completed.

Question: On E-3, it is required that we provide the total building construction cost (without contingency) but with general conditions overhead and profit. It states this figure should be transferred to Exhibit B-1, Line C.1. But in Section C of B-1, there are 3 lines, one of which is for the Construction Manager Fee. Our Construction firm is the Construction Manager, so their

overhead and profit is in the total cost for Exhibit E-3. Since we don't have a construction manager, should we put in 0 for line C.3 in Exhibit B-1?

Response: An applicant can have a General Contractor (GC), who will charge Overhead and Profit (O&P), or a Construction Manager (CM), as builder, who will charge a CM fee. In B-1, Section C, there should be the construction price, including O&P for a GC, and contingency. If utilizing a CM, the construction price (with no O&P), construction contingency and CM fee should be included in the respective labeled lines.

Question: If we are planning to serve populations with multiple special needs, do we include all of them in Exhibit A-1. For example, we are planning to develop seven units for homeless individuals who are severely mentally ill and/or substance use disorders, and in our experience, the majority of residents will have co-occurring disorders.

Response: Exhibit A-1 of the HHAP Application requests applicants to designate units by primary disability or life challenge. Requests wishing to serve multiple populations should identify units for each. Using the example provided, three units could be designated for SMI and four for SUD. Please note the Empire State Supportive Housing Initiative (ESSHI) has the same requirement.

Question: Exhibit E1 references the Phase I and Phase II, do we need to include the entire report or just the summary?

Response: We would prefer to have access to the entire report and would suggest including the summary in the hard copies of the application, with a reference that the full report is available electronically in the electronic copies of the application.

Question: How can I make adjustments to the protected excel sheets in the application?

Response: The password to unprotect the Excel worksheets is "HHAP". Please keep in mind that it is the applicant's responsibility to ensure that all calculations are accurate; inaccurate calculations may negatively impact the overall competitiveness of a proposal.

Question: In Exhibit C-2: If the proposed project does not require a license or certification and the agency does not have a certified facility do we skip this section? There is no box to check for N/A.

Response: If the proposed project does not require a license or certification, please write N/A.

Question: How do we get the SHARS number for our agency?

Response: In the Definitions section of the HHAP application, page 8, it states, "The Statewide Housing Activity Reporting System (SHARS) is maintained by NYS Homes and Community Renewal (HCR). SHARS is an automated system for tracking, reporting and monitoring certain housing projects that apply for receive state funds. If a property included in the HHAP application has applied for or previously received an investment of state funds, please contact HCR to determine if a SHARS ID number already exists." SHARS numbers are not provided by HHAC or OTDA.

Existing Emergency Shelter Repair Application

Question: What are the M/WBE requirements for the shelter repair Grant?

Response: The MWBE goals are outlined in the RFP, by geographical location, please see Exhibit D of the RFP and the chart on page 60.

Question: Can the three quotes be a general contractor (GC) completing all task and subcontracting out work or does each task need three quotes.

Response: A GC is not required for Shelter repairs, but an applicant can choose to utilize the services of a GC. If a GC is being utilized, an applicant can provide three quotes from three GC or have the pre-selected GC provide three quotes from any and all needed sub-contractors. If a GC is not being utilized, then please just provide the three quotes for the work needed. Quotes also are not required as part of the application, but would expedite the work to get to contract, if awarded funding.

Question: Proposals should include supporting documentation that demonstrates the existing conditions are severe enough to impact the health and safety of the residents. Would you be able to specify what types of documentation might work?

Response: Healthy and safety concerns may be documented by staff or entities who inspect the facility, such as: The Department of Social Services, OTDA Division of Shelter Oversight and Compliance, the local Codes Enforcement or Fire Department. Supporting documentation should substantiate the repairs needed. Photos and site drawings are requested.

Question: We understand that we need three bids/quotes for each repair activity, but if we proposing a repair that requires specialty work and there are not three vendors in our region, can we submit with fewer bids? Also, if we reach out to multiple vendors to obtain bids and we have vendors decline, do they count towards the three bids, or do we have to have three actual estimates?

Response: Three bids are not required as part of the application. Bids are encouraged to assist in expediting the work. HHAP policy is any work over \$10,000 does require three bids, which can be completed after the award reservation has been granted.

Question: We are bidding out each repair per the instructions, and it is our understanding that low bids should be selected. If all of the low bids are not MWBE vendors, how do we meet the MWBE requirement? Should we select an MWBE vendor that has a higher quote in order to meet the MWBE expectation?

Response: The lowest responsible bid should be chosen. A responsible bid would include the bid that can assist the sponsor in achieving the MWBE and SDVOB goals.

Question: The RFP states that the agency can have their own maintenance staff preform the repairs – but it is not clear if you have to bring a contractor in to complete the repairs – would we need to comply with MWBE and SDVOB?

Response: Depending on the proposed scope of work, an agency's own staff may perform the needed repairs. MWBE and SDVOB goals can still be achieved through purchase of supplies. All efforts to achieve MWBE and SDVOB goals need to be documented.

Question: What is needed for Documentation of Need for the Existing Emergency Shelter Repairs?

Response: While there is no specific documentation of need section in the Existing Emergency

Shelter Repairs Application, proposals should include supporting documentation that demonstrates the existing conditions are severe enough to impact the health and safety of the residents.

Contract Information

Question: Are funds that are awarded to existing emergency shelters to complete repairs, subject to a lease term that equals the HHAC contract term (currently the minimum is 25 years)?

Response: No, funding for Existing Emergency Shelter Repairs are not subject to a 25-year contract. In some instances, they may be subject to up to seven years.

Eligible Populations

Question: Can we admit persons into this permanent supportive housing project directly from licensed OMH, OASAS, OPWDD, and OPDV residential sites who are discharging, homeless, with no permanent residence to go to?

Response: The RFP states in Section I. Introduction that a homeless person is defined as an undomiciled person (whether alone or as a member of a family) who is unable to secure permanent and stable housing without special assistance, as determined by the Commissioner of OTDA. Individuals coming from emergency and transitional settings are eligible.

Empire State Supportive Housing initiative (ESSHI)

Question: Do you need to have HHAP funding the get ESSHI funding and vice versa? Or can you apply if you only supportive services for already existing housing for homeless people?

Response: An applicant can apply to HHAP without ESSHI.

Letters of Support

Question: Are applicants permitted to submit individual Letters of Support that address/support the applicant's proposals to both the Homeless Housing and Assistance Program (HHAP) and the Empire State Supportive Housing Initiative (ESSHI) to operate the same supportive housing project?

Response: Letters of Support that address both HHAP and ESSHI requirements may be provided. A copy of the Letter of Support should be included for each proposal.

Olmstead

Question: For a scattered site project how does the Olmstead Rule of 50% occupancy by residents with disabilities work, would it be per building or the whole project?

Response: HHAP funding can be used to acquire, construct or rehabilitate buildings to expand the supply of housing for low-income persons who are, or would otherwise be, homeless. A homeless person is defined as an undomiciled person (whether alone or as a member of a family) who is unable to secure permanent and stable housing without special assistance, as determined by the Commissioner of OTDA. Non-profit corporations and their subsidiaries, charitable

organizations, municipalities and public corporations are eligible to apply for HHAP. Homelessness is not a disability, but rather a life challenge, and therefore does not trigger Olmstead on its own. Applicants proposing to serve target populations with disabilities should contact the appropriate State agency to discuss specific Olmstead considerations, as they can differ.

SHPO/SEQRA

Question: If submitting an application to HHAP for a project in New York City (NYC) that has already received a Negative Declaration for NYC City Environmental Quality Review (CQER), do we still have to also submit the Short Environmental Assessment Form (EAF) to NYS Parks, Recreation and Historic Preservation or would the Environmental Assessment Statement (EAS) and/or negative declaration (or other related documentation) suffice?

Response: Per the HHAP RFP, SHPO/SEQRA (page 32), Exhibit E-5: SHPO/SEQRA: Submission of the short Environmental Assessment Form (EAF) is required for compliance with State Environmental Quality Review Act (SEQRA) procedures. To submit online to New York State Office of Parks, Recreation and Historic Preservation use the link by clicking here: <https://parks.ny.gov/shpo/online-tools/>.

Please submit the EAF, as outlined in the HHAP RFP, as well as include the NYC CQER EAS and Negative Declaration in the application.

Question: If submitting an application for an HHAP Operational project. Do such projects also require the SEQRA EAF?

Response: Applications for HHAP capital funding (may not include shelter repairs applications) requires submission of the Environmental Assessment Form (EAF) for SEQRA.

Question: Do projects that are pursuing historic tax credits need to complete the SHPO online CRIS process described in Exhibit E-7? Our historic preservation consultant advises that the CRIS process is superseded by the historic tax credit application process.

Response: Submission of the project to SHPO is required.

Site Control

Question: When demonstrating site control for a project where a non-profit currently owns land that will be conveyed to a joint venture of which they will be a member, is it acceptable to simply show to existing deed or does OTDA need to see an option agreement between the non-profit and the JV entity?

Response: Site control of the applicant (non-profit) is acceptable. If the site will be conveyed to a JV later that should be explained in the application.

Sponsor Qualifications

Question: Are fairly new organizations encouraged to create collaborative partnerships with long-standing organizations that will perhaps strengthen the potential application?

Response: HHAC is always interested in establishing relationships with new organizations. However, because we make a substantial financial investment in project sponsors and because of the long-term commitment required (minimally 25 years), we very closely examine every

applicant's experience in the areas of development, housing management, and the provision of support services. In addition, we closely scrutinize the financial information provided and evaluate whether applicants possess the organizational infrastructure necessary to both develop the HHAP project and successfully maintain it for the contractually mandated period of time.

As such, it may make sense for a newer organization to partner with a more established entity that has the requisite experience and fiscal stability. Please see Section III.A and Appendix A of the HHAP RFP for additional information and guidance.

General Questions and Answers

Question: Is there a limit to how many applications can be submitted, per grant cycle.

Response: The RFP does not limit the number of separate applications from any particular applicant per year. There is a limit on re-submissions of a previous application, for the same project, which can only be submitted twice in one fiscal year. If multiple applications are submitted by one agency, we would be concerned about and consider the capacity of a grantee to develop multiple projects effectively simultaneously and consider the timing and project readiness of the proposed projects, but there is no bar against submitting multiple applications.

Concept Papers

Question: We're planning on submitting a concept paper. Is submission of a concept paper required prior to a full application? Is there a deadline for the concept paper?

Response: Agencies interested in pursuing HHAP funding are highly encouraged, but not required, to submit a concept paper before submitting an application. A key to the success of any project is in the initial planning. Concept papers can be an extremely important part of the planning process because they enable HHAC to review potential projects and explore ideas without imposing heavy burdens on prospective applicants. Concept papers help HHAC assess whether or not the proposed project is eligible for funding and enable HHAC to provide guidance and feedback prior to the submission of a full proposal. Concept paper submission guidelines can be found on OTDA's website. Concept papers may be submitted at any time.

Funding Parameters

Question: Is there a per-unit maximum?

Response: HHAC has no predetermined limit on the amount of funding that will be awarded on a per unit basis but has established that no single award may exceed \$15 million and no single sponsoring organization shall receive more than 25% of the funds available in any given State fiscal year for one or more projects unless HHAC determines that it is in the best interest of the State to do so. (Please see section VI. Terms and Conditions of the RFP).

While per unit limits have not been established, applicants should be aware that HHAC employs guidelines to evaluate project cost. These guidelines are based on many factors, including recent historical data, the type of construction, the nature of the housing program and regional considerations. HHAC does not publish its cost guidelines out of concern that applicants will either underestimate or overestimate the true project cost in an effort to "back into" the guidelines. This does not give applicants a competitive edge. If the request is based on an informed, honest, cost-effective estimate of cost of construction is likely to approximate the

HHAC guidelines.

To arrive at a realistic construction cost estimate, applicants are advised to engage an architect familiar with the local building market and who has experience designing the type of building proposed. A qualified architect should be aware of local market conditions and what constitutes a reasonable cost for the type of project being proposed.

It is HHAP's goal with regard to project cost considerations is to fund quality projects that present a cost-effective budget combined with an efficient design.