



Home Investment Partnership
Homeowner (HOME) Rehabilitation
Program

Notice of Funding Availability



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OVERVIEW INFORMATION

INTRODUCTION AND BACKGROUND

The New Mexico Mortgage Finance Authority (MFA) is a governmental instrumentality, separate and apart from the state, created by the Mortgage Finance Authority Act, N.M. Stat. Ann. Sections 58-18-1 1978 *et seq.* (1978) for the purpose of financing affordable housing for low and moderate income New Mexico residents.

MFA receives Federal HOME Investment Partnership Program (HOME) funds through a Housing and Urban Development (HUD) formula grant and allocates a portion of these funds to the HOME Rehabilitation Program. The HOME Rehabilitation program provides essential home repair and improvements that are non-luxury in nature to income eligible homeowners. The purpose of this Notice of Funding Availability (NOFA) is to invite the submittal of qualification statements from service providers in accordance with applicable guidelines set forth in this NOFA and established MFA minimum qualifications. MFA is looking for qualified, capable service providers, who are knowledgeable, skilled, and experienced in managing federal funding and can provide HOME Rehabilitation services. Service providers will be selected based on their capacity, experience, and the ability to provide program services.

AGENCY CONTACTS

MFA will be responsible for administering the HOME Investment Partnership Home Rehabilitation Program for current and subsequent funding allocations which include but are not limited to fund management, reporting, and monitoring of the Home Rehabilitation Program activities to ensure program compliance.

Point of Contact: Leann McDonald, Program Manager
Community Development Department
NM Mortgage Finance Authority
344 4th Street, Albuquerque, NM 87102
Office: (505) 767-2289
Email: lmcdonald@housingnm.org

Questions pertaining to the NOFA and potential Applicants will be answered through the NOFA FAQ.

Questions must be submitted via the FAQ at MFA's website <https://housingnm.org/rfps/rfps-rfqs/home-rehab-nofa-2023-for-the-HOME> Rehabilitation Program. Select the HOME Rehabilitation Resources and type in your question(s) and submit. Questions will be checked daily. MFA will make every attempt to post responses to questions within 48 business hours of submission.

The FAQ will open immediately following release of the NOFA.

DEFINITIONS

UNIQUE ENTITY IDENTIFIER (UEI)

The Federal Government has transitioned from the use of the DUNS Number to the Unique Entity Identifier (UEI) as the primary means of entity identification for Federal awards government-wide. UEIs are required in accordance with 2 CFR Part 25, and the transition from DUNS to UEI has resulted in the UEI being issued by the Federal

Government in SAM.gov. This means entities no longer rely on a third-party to obtain an identifier (i.e., a DUNS issued by Dun and Bradstreet). This change streamlines the entity identification and validation process, making it easier and less burdensome for entities to do business with the Federal Government.

REHABILITATION

The improvement of the condition of a property from deteriorated or substandard to good condition. Rehabilitation may vary in degree from the extensive reconstruction to the cure of substantial accumulation of deferred maintenance.

AWARD INFORMATION

AWARD NOTICE

MFA shall provide electronic notice (e-mail) of project award(s) to successful Applicants within fifteen (15) days of the MFA Board approval of the award. The award shall be contingent upon signing final award documents. The notification will be delivered to the contact person indicated on the application. This process also applies to denial notification.

FUNDING ALLOCATION

The 2023 Department of Housing and Urban Development (HUD) HOME award allocations were approved by the MFA Board on May 17, 2023. The HOME Rehabilitation Program received \$4,997,360 for the program year. The balance and the amount available for release under this NOFA is **\$4,947,360** which includes a three (3) percent administrative award to the service providers and a seven (7) percent administrative award to MFA for a total of ten (10) percent.

The administrative costs for the program may be used for non-direct project related activities that contribute to the service providers Rehabilitation Program. All direct project-related activities such as the wages for the project manager or administrative assistant must be charged as soft costs and not to the administrative fees. The administrative costs and soft costs cannot be passed to the borrower. The NOFA will remain open as long as there are available funds. MFA will provide notice of additional funding allocations to the program through MFA's website.

FUNDING TERMS AND CONDITIONS

All awards will be subject to the availability of funds, applicable laws, and funding source regulations for the HOME Rehabilitation Program. MFA will allocate only the minimum amount of funds that it determines to be necessary for the financial feasibility of a project and its viability.

Awards will be made to approved service providers on a project-by-project basis up to five (5) projects, or determined by MFA, per funding round. Funding of up to \$95,000 may be available per project. Actual construction costs (hard costs) are recommended at \$85,000 and soft costs are limited to \$10,000. Homeowners whose annual household income does not exceed eighty percent (80%) of the area median income, adjusted for family size, will be eligible for the HOME Rehabilitation Program.

The pre-rehabilitation value of the home must be determined by appraisal or MFA accepted method before any rehabilitation work is performed. MFA will place a lien on the property using a Restrictive Covenant or Tribal Land Agreement signed by the homeowner and notarized before any funds are expended on the project. At project completion, the agreement is to be recorded at the County Clerk's office where the property is located and delivered

to MFA via certified mail. This will ensure compliance with the period of affordability and outlines the forgivable terms of the loan. In the event of a sale of the property during the period of affordability, the homeowner will be responsible to pay for hard costs associated with the rehabilitation of the home.

The value of the home (as determined by appraisal or other method approved by MFA such as a market analysis) cannot exceed the HUD published value for the unit size, after rehabilitation. Service providers must use the HUD 95% after rehabilitation median values which are available online at <https://housingnm.org/rfps/rfps-rfqs/home-rehab-nofa-2023>.

This NOFA will remain open as long as there are funds available. Service providers will be able to request additional funding when their initial award is at least 80% expended and when it is determined by MFA that they have satisfactorily completed assigned projects. Service providers who received HOME Rehab funding from MFA through any other past procurements must have fully expended their award before a request can be approved to release any funding under this NOFA.

If other funds become available to MFA during the contract period for activities like the work performed under the Program, additional funding may, at the option of MFA, be offered to the successful Applicants without a new NOFA.

METHOD OF DISTRIBUTION

MFA will award HOME Rehabilitation Program funds to an eligible service provider through this NOFA for the rehabilitation of eligible projects. MFA will solicit qualitative and quantitative information from Applicants to demonstrate the project being proposed for HOME Rehabilitation Program funding fulfills the program objectives.

ELIGIBILITY INFORMATION

ELIGIBLE APPLICANTS

MFA will award HOME Rehabilitation Program funding to eligible Applicants to include, but not limited to, public and private non-profit organizations, for-profit organizations, governmental housing agencies, authorities, entities, or instrumentalities, regional housing authorities, tribal governments or housing agencies, developers, builders, corporations, limited liability companies, partnerships, joint ventures, syndicates, associations, or other entities that can assume contractual liability and legal responsibility through execution of a Performance Agreement and/or other written agreements with MFA. Individual homeowners are not eligible for the HOME Rehabilitation Program. Applicants must be approved by MFA and must have demonstrated experience and capacity to conduct eligible activities that meet the requirements of *24 CFR 92 HOME investment Partnerships Program*.

As part of the application, eligible applicants must provide evidence the following:

1. Applicant must be able to provide housing rehabilitation related services to persons of low or moderate income.
2. Applicant must be formed as an organization under state, local, or tribal laws and provide proof of such organization and that the applicant is in good standing with HUD or as applicable.
3. Applicant must be able to conduct business in New Mexico by evidence of a business license or other governmentally issued document.

4. Applicant must have a functioning accounting system that is operated in accordance with Generally Accepted Accounting Principles (GAAP) or has designated an entity that will maintain such an accounting system that is consistent with GAAP.
5. Applicant must provide an independent Certified Public Accountant (CPA)'s auditors report (Audit) conducted in accordance with Government Auditing Standards (GAS). The GAS Audit will include an independent auditor's report on the following: 1) financial statements; and 2) internal control over financial reporting and compliance. Applicant will submit the most recent audit available; only the most recent of FY2021 or FY2022 will be accepted. If Applicant receives \$750,000 in federal funds, a Single Audit is required pursuant to 2 CFR 200. The following types of audit findings may disqualify Applicant from funding:
 - a. Repeat and unresolved audit findings or any pending investigations.
 - b. If Applicant has received greater than \$750,000 in funding and the single audit did not meet the requirements of 2 CFR 200.500-520.
 - c. For Single Audit, no proof of federal audit clearinghouse submission (FORM SF-SAC) and, if Governmental entity, proof is not included of current audit submission to the Office of the New Mexico State Auditor.
 - d. If referenced in audit as a separate communication, no submission of Management Response Letter.
 - e. If any findings, no submission of management response to findings.
6. For Applicants that did not receive HOME Rehab funds in PY 2022-2023, the service provider must provide either an audit to the above standards or an independent CPA's review of financial statements.
7. Applicant shall have no significant financial audit findings, and (b) no significant outstanding or unresolved monitoring findings from any governmental entity, or from MFA or otherwise; or if it has any such findings, it has a certified letter from the governmental entity, MFA or otherwise, stating that the findings are in the process of being resolved.
8. Applicant shall have among its purposes, the staffing capacity to provide significant activities related to providing HOME Rehabilitation services to income qualified homeowners Therefore, Applicant must provide resumes of the executive director (or equivalent), accountant, program manager and case manager(s) who will be administering this grant. **Applicant Capacity - Exhibit A**
9. Applicant shall not have defaulted on any obligation covered by a surety or performance bond.
10. Applicants who have received HOME Rehabilitation funds from MFA in the past but discontinued providing these services due to capacity, compliance and/or programmatic issues will be evaluated on a case-by-case basis by MFA to determine their capacity for receiving this funding.
11. Applicant must have a minimum of two (2) years of demonstratable history and familiarity with operating the type of activity related to providing housing or housing services to persons or households of low or moderate income for which it may receive funding. **Experience - Exhibit A**
12. Applicant must be in "good standing" as of the date this NOFA was issued. To be in good standing, Applicant must not have "suspended," "debarred" or have had HUD's Limited Denial of Participation status conferred upon it by MFA and/or other funding sources because of misconduct or alleged misconduct.

13. All applicants must have a Unique Entity Identifier (UEI) number and an active registration in the System for Award Management (SAM), found at <https://www.sam.gov/portal/public/SAM/>
14. Applicant must provide a print screen from <https://www.sam.gov/portal/public/SAM/> and https://www5.hud.gov/ecpcis/main/ECPCIS_List.jsp documenting search for Applicant's name **and** executive director's name, as proof of compliance. The search must be dated within 30 days of the proposal date.
15. Applicant must have the capacity to attend all training related to administering this grant.
16. Applicants must provide proof of their business license.
17. Eligible Applicants can be located in any geographic area(s) within the State of New Mexico.

In addition to the eligibility requirements listed above, the following items are also required for eligibility:

18. **Non-Profits only**-Applicant must provide proof of its 501(c)(3) non- profit tax status.
19. **Non-Profits only**-Applicant must provide proof that it follows the Charitable Solicitations Act NMSA 1978, §57-22-1, et seq. and with the filing requirements by the New Mexico Attorney General's Office under that Act; and must submit **proof of current registration as a charitable organization with the New Mexico Attorney General's Office** for fiscal year ending in 2023 or proof of exemption therefrom. Registration/verification may be obtained at <https://secure.nmag.gov/coros/> Verification should be in the form of the first page of the "NM Charitable Organization Registration Statement."
20. **Non-Profits only**-Applicant must have no part of its net earnings benefitting any member, founder, contributor or individual.
21. **Non-Profits only**-Applicant must have a Board of Directors or other governing body and provide information on its members (names, contact information, employer, and term).
22. **Non-Profits only**-Applicant must provide a Resolution of the Board of Directors or Governing Body authorizing Applicant to apply for the HOME Rehabilitation funding or where authority has been delegated, documentation of the same and proof of authority to apply for HOME Rehabilitation funding. If Tribal entity, submit a current tribal resolution showing approval for applying to the HOME Rehabilitation Program.
23. **Non-Profits only**-Applicant must provide proof that they have been operating for a minimum of two (2) years.
Experience - Exhibit A

ELIGIBLE ACTIVITIES

Approved service providers must comply with HOME Rehabilitation Program rules and regulations for the rehabilitation of eligible homeowner occupied projects. HOME Rehabilitation Program funds may be used only for reasonable and customary costs that are directly attributable and traceable to the awarded project. Costs related to the rehabilitation of a qualified project are eligible and include the purchase and replacement of manufactured housing if deemed necessary.

REHABILITATION

HOME Rehabilitation Program funds may be used for eligible home improvement activities which include but are not limited to making energy saving conservation improvements, eliminating health and safety hazards, enhancing

accessibility for a disabled or elderly person, structural alterations and reconstruction, repair or replacement of major housing systems, adding or replacing roofing, reconditioning plumbing, installing or replacing a septic system, and general property improvements that are non-luxury in nature.

For the HOME Rehabilitation Program, the home must be owned and occupied by the applicants and be the primary residence as evidenced by a title search and a deed. Title to the property must be held as fee simple ownership or a 99-year leasehold. Homes located on Tribal Land may have a 50-year lease or alternative acceptable to MFA. Any person(s) whose name(s) appears on the title to the property, as well as all members of the household over the age of 18, must be included for income determination purposes. All property taxes must be current for non-tribal land.

The value of the home (as determined by appraisal or other method approved by MFA, such as a market analysis) cannot exceed the HUD published 95% after rehabilitation median values for the unit size, after rehabilitation. The combination of an existing mortgage loan and HOME loan cannot exceed the after-rehabilitation value of the home. On Tribal/Pueblo land MFA will accept a property valuation in lieu of a third-party appraisal.

Properties with a home equity mortgage lien on the property and properties located within the city limits of Las Cruces and Albuquerque are not eligible for this Program.

Project Applications (setup) – Upon execution of the Performance Agreement, a service provider can complete and submit individual project setup forms with all required documents included in the Project checklist. Under the provisions of this open NOFA, MFA staff will evaluate the project application using the Project document checklist listed in this NOFA (Exhibit B). Service providers will be allowed up to five (5) open project awards at any one time, unless otherwise approved by MFA.

Manufactured Homes

Mobile or manufactured homes are also eligible for rehabilitation under this Program. HOME funds may be used to purchase mobile or manufactured homes to replace homes that are too costly to rehabilitate. Under this Program, eligible manufactured housing must comply with MFA's Resource Efficiency Standards. Mobile or manufactured home rehabilitations or replacements are eligible only if the land they are set on has a minimum 99-year ground lease or is owned by the homeowner. The mobile home is ineligible for this rehabilitation program if it is in a mobile home park where a monthly lot fee is paid.

SUBCONTRACTORS

Eligible service providers shall not subcontract services for the management of the program performed under the Service Performance Agreement without the prior written approval of MFA. The only exceptions are for an EPA certified Risk and lead-based paint assessor, certified public accountant, and a general contractor's construction crews.

LEVERAGING AND MATCHING RESOURCES

It may take more than the "maximum" amount of HOME funds to adequately rehabilitate any single home. The intent of this Program is to provide more HOME funds to the lower income borrowers (0-80% AMI). To increase the number of families assisted with the limited HOME funds, MFA highly encourages leveraging with other resources such as USDA-Rural Development loans. Whenever possible, eligible service providers should coordinate with MFA's NM EnergySmart Weatherization Program service providers to incorporate weatherization with all rehabilitation projects.

PROJECT RESERVATIONS

The reservation of funding of each project is subject to submission of a project application package including a completed reservation request form. The project application package must be uploaded to the secure data transfer website which may be accessed at <https://mfa.internal.housingnm.org/FileTransfer> MFA will not accept project application_packages sent via U. S. mail, FedEx, UPS or physically delivered to the MFA office. Applications will only be accepted through MFA's prescribed document management system. Funding will be reserved on a first come, first served basis pending funds availability. Only complete project packages will be accepted.

MFA's commitment to fund each rehabilitation project will be subject to MFA approval as evidenced by a project acceptance notice which must be signed and acknowledged by the eligible service provider and returned to MFA via email. Once the project has been entered into HUD's IDIS system, a project number will be generated. The project number and Loan and Restrictive Covenants Agreement or Tribal Land Loan Agreement will be forwarded via email to the eligible service provider. Eligible service providers may then begin invoicing MFA for reimbursable expenses related to the project.

PROJECT FUNDING/REIMBURSEMENT

Service Provider may request funds by using MFA's Request for Reimbursement form. Requests for reimbursements are paid on a reimbursement basis.

Interim Funding Interim funding is subject to the following:

- The submission of field inspection report including photos,
- Copies of contractor payment request and/or material receipts,
- If invoicing for project management as a soft cost, submission of employee timesheets. Invoices will not be paid until all required documents are received and approved by MFA. Projects that have not drawn any funds within 60 days of the reservation verification letter may be canceled by MFA. The project must be completed within 180 days from the receipt of a project number from MFA.

Final Funding The final funding of each project is subject to the following:

- The submission of a HOME Completion Report
- The submission of a copy of the certificate of occupancy and/or final inspection from the proper code enforcement agency signed by the homeowner
- The submission of the release of liens certification from the contractor
- The submission of the original recorded Loan and Restrictive Covenants Agreement or Tribal Land Loan Agreement
- Evidence of property ownership (Fee Simple or 99-year leasehold interest only)
- Evidence of flood insurance (if applicable)
- Copy of bid documents and advertisement
- Copy of executed construction contract with scope of work attached as an exhibit.
- Copies of lead-based paint risk assessment, notification certification(s), and clearance (if applicable)
- Environmental Review checklist and documents
- Completed file document checklist.

Final invoices will be paid when all close-out documents are received and approved by MFA.

PROJECT MINIMUM AND MAXIMUM FUNDING AMOUNTS

The minimum subsidy per unit for each tier is \$1,500. The maximum average of the HOME subsidy amount is \$95,000 per project. Actual construction costs (hard costs) are recommended at \$85,000. Soft costs are recommended at \$10,000.

PERIOD OF AFFORDABILITY

Each homeowner enters into a Loan and Restrictive Covenants Agreement or Tribal Land Loan Agreement. The terms of the agreement will vary depending on the cost to rehabilitate the home. The loan will be a non-amortizing, 0% interest loan that is due on sale, transfer, or refinance during the affordability period. As long as the homeowner is in compliance with the requirements of the loan, the loan amount shall be reduced on the anniversaries of the loan date as follows:

- If the grant amount is from \$1 to \$24,999, the grant shall be reduced at a rate of twenty percent (20%) per year for five years.
- If the grant amount is from \$25,000 to \$40,000, the grant shall be reduced at a rate of ten percent (10%) per year for ten years.
- If the grant amount is more than \$40,000, the grant shall be reduced at a rate of approximately six-point-seven percent (6.7%) for fifteen years.

The form of assistance for households earning no more than 80% of area median income (AMI) will be a non-amortizing, 0% interest subordinate loan. **A lien will be placed on the property for actual hard construction costs only. Soft costs, administration fees and lead based paint activities will not be passed on to the homeowner.**

ELIGIBLE BENEFICIARIES

Per HOME Rehabilitation Program guidelines, to be eligible to receive HOME Rehabilitation Program funding, the home must be owned and occupied by the household as a principal residence. The annual household income of the borrower(s) must be at or below 80% of area median income (AMI) adjusted for family size as determined by the HUD and calculated pursuant to the HUD Part 5 (Section 8) guidelines. The incomes of all household members over 18 years of age are needed to determine income eligibility.

The income limits to be used to determine eligibility shall be those established by HUD and published annually. See the following HUD website:

https://www.huduser.gov/portal/datasets/home-datasets/files/HOME_IncomeLmts_State_NM_2022.pdf

The new HOME homeownership value limits for existing HOME units is 95 percent of the median purchase price for the area based on Federal FHA single family mortgage program data for existing housing and other appropriate data that are available nationwide for sale of existing housing in standard condition. See the following HUD website:

<https://www.hudexchange.info/resource/2312/home-maximum-purchase-price-after-rehab-value/>

FUNDING LIMITS AND RESTRICTIONS

HOME Rehabilitation Program awards are contingent on available funds. MFA, in its discretion, may set limits on the amount of funding to be awarded. Approved service providers are limited to five (5) open project awards at any one time unless otherwise approved by MFA.

To meet MFA's construction standards and HOME regulatory requirement, the minimum subsidy per unit is \$1,500. The property must meet all construction standards upon final funding of the loan. The eligible service provider will be responsible for guaranteeing that the work is properly inspected and completed. It will be the obligation of the eligible service provider to ensure that the property meets all code requirements, construction standards and other HOME requirements, including but not limited to those associated with HOME Housing Quality Standards (HQS) or Uniform Physical Condition Standards (UPCS), and lead-based paint.

All work must meet MFA and HUD Construction Standards, local building code and manufacturer's warranty requirements, and must be performed by a GB02 contractor and if working with mobile homes the contractor must be licensed for manufactured homes. Program funds can be used to secure a manufactured home to a permanent foundation.

ENVIRONMENTAL REQUIREMENTS

All projects are subject to an environmental review and must receive appropriate clearance prior to any fund's expenditure, including soft costs and lead-based paint costs. MFA is the responsible entity for all projects being performed by for-profit and non-profit organizations and tribal housing authorities. Local governments and tribal entities (not tribal housing authorities) are their own responsible entity and are required to perform their own environmental reviews which need to be included in all reservation requests. Local governments and tribal entities must submit their Request for Release of Funds to MFA for approval (not to HUD). MFA will issue the Authority to Use Grant Funds.

FLOOD INSURANCE

Properties located in floodplains or wetlands as identified by the Federal Emergency Management Agency (FEMA) shall be required to obtain and maintain flood insurance as a condition of receiving funding. At initial intake, service provider must provide verification that a property is not located in a flood plain.

LEAD-BASED PAINT

Service providers must certify and comply with applicable lead-based paint regulations listed in *24 CFR Part 35*. Fees for testing and abatement cannot be passed to the homebuyer and are allowable expenses under HOME Rehabilitation Program.

On April 22, 2008, EPA issued a rule requiring the use of lead-safe practices and other actions aimed at preventing lead poisoning. Under the rule, beginning in April 2010, contractors performing renovation, repair, and painting projects that disturb lead-based paint in homes, childcare facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination.

OTHER FEDERAL AND STATE REQUIREMENTS

Service providers must meet Conflict of Interest Requirements as well as any other federal and state requirements applicable to the HOME Rehabilitation Program.

APPLICATION, SUBMISSION, AND TIMELY RECEIPT OF INFORMATION

NOFA AVAILABILITY

The NOFA will remain open as long as there are funds available. Applications can be submitted once the NOFA is released. If funds remain following the initial funding round, MFA will post an announcement on its website stating the amount of funds still available to be awarded. Thereafter, applications will be received on a first come, first served basis, and will be evaluated in chronological order based on the date received. If sufficient funds are not available to fund all submitted requests for funding, they will be awarded based on the date received. MFA will close the NOFA if funding is no longer available.

The HOME Rehabilitation Program NOFA applications and forms will be provided electronically and may be downloaded from MFA's website. <https://housingnm.org/rfps/rfps-rfqs/home-rehab-nofa-2023>.

Requested documentation must be provided, in order, according to the attached checklist Exhibit B. Forms provided by MFA must be used. All requested documents must be submitted as one electronic PDF document to marmijo@housingnm.org and include "HOME Investment Partnership Home Rehabilitation Program Application Submission" in the subject line.

APPLICATION FORMAT AND INSTRUCTIONS TO APPLICANTS

Applicant's *service provider proposal* submissions must be complete and include all information requested in the NOFA. All exhibits identified in this NOFA are included in the application checklists. Application checklists include but are not limited to the exhibits, documentation, schedules, audits, certifications, and disclosures.

Staff may contact applicants for clarification of the information provided. In the event of a tie score, staff will recommend approval based on need and what is best for achieving program objectives. MFA will enter into service performance agreements and related agreements with the applicants whose applications are deemed to be most advantageous to achieving the goals of the HOME Rehabilitation Program.

Service Provider Proposal (Application) – (Exhibit A) Applicants must complete and submit the service provider application form with all required documents included in the service provider application checklist (Exhibit B). Under the provisions of this open NOFA, MFA staff will evaluate the application using the Minimum Qualifications and Requirements, and service provider evaluation and scoring criteria listed in this NOFA. Upon approval, MFA and the service provider will enter into a Performance Agreement. Upon execution of the Performance Agreement, project applications can be submitted for project awards.

IRREGULARITIES IN APPLICATIONS

MFA may waive technical irregularities in the application of any Applicant selected for an award which do not alter the price, quality or quantity of the services offered. Please note that the date and time of application submission as indicated herein under "Application Submission and Due Date" cannot be waived under any circumstances.

RESPONSIBILITY OF APPLICANTS

If an Applicant who otherwise would have been awarded funds is found not to be a responsible Applicant, a determination setting forth the basis of the finding, shall be prepared and the Applicant disqualified from receiving the award.

A responsible Applicant means an Applicant who submits an application that conforms in all material respects to the requirements of this NOFA and who has furnished, when required, information and data to support the application. MFA in its sole discretion, shall determine and otherwise verify Applicant's ability to make satisfactory delivery of the services described in this NOFA.

APPLICATION CONFIDENTIALITY

MFA will not disclose the contents of any application or discuss the contents of any application with an Applicant or potential Applicant. The contents of any offer will not be disclosed to competing or potential Applicants. After awards have been made, and notice given to Applicant(s), all applications shall be made available and open to the public for review pursuant to the MFA Inspection of Public Records policy and procedure.

APPLICATION REVIEW INFORMATION

EVALUATION OF APPLICANTS AND DOCUMENTATION

MFA staff will evaluate service provider applications using the Minimum Qualifications and Requirements, and service provider evaluation and scoring criteria as described in the following sections. MFA will follow its own policies and procedures to obtain the necessary award approvals.

Upon approval, MFA and the service provider will enter into a Performance Agreement with the term to be determined by MFA based on service provider capacity and other factors.

The Performance Agreement will include provisions for adequate security against the loss of HOME Rehabilitation Program funds in the event that a successful Applicant abandons or otherwise fails to complete a project and further will include remedies and default provisions in the event of the unsatisfactory performance by the successful Applicant.

SERVICE PROVIDER EVALUATION CRITERIA

The following criteria must be met by all Applicants to be considered an approved service provider to receive HOME Rehabilitation Program funding.

Qualified Applicants will submit a Service Provider Application Form (Exhibit A) which will be reviewed using the Minimum Qualifications and Requirements, and Service Provider evaluation and scoring criteria listed in this NOFA.

Applicants must score a minimum of 70 points of the total points possible.

Staff may contact Applicants for clarification of the information provided.

MINIMUM QUALIFICATION AND REQUIREMENTS

1. Be organized under state, local, or tribal laws and can provide proof of such organization and that Applicant is in good standing, as applicable;
2. A functioning accounting system that is operated in accordance with generally accepted accounting principles or has designated an entity that will maintain such an accounting system consistent with generally accepted accounting principles or has a fiscal agent familiar with affordable housing programs and projects or in lieu of an audit, an independent CPA's review of financial statements, signed by the reviewer.

3. No significant financial audit findings, and no significant outstanding or unresolved monitoring findings from any governmental entity, or from MFA, or otherwise; or if it has any such findings, it has a certified letter from the governmental entity, MFA, or otherwise stating that the findings are in the process of being resolved.
4. Not having been suspended, debarred, or otherwise restricted by any department or agency of the Federal Government or any State government from doing business with such department or agency because of misconduct or alleged misconduct.
5. Not having defaulted on any obligation covered by a surety or performance bond.
6. Insurance Requirements – service provider applicants must maintain acceptable General Liability Insurance and work with qualified and licensed and bonded contractors.

Non-profit applicants must also provide proof of the following:

1. 501(c)(3) tax status;
2. Having no part of its net earnings inuring to the benefit of any member, founder, contributor or individual; and
3. Compliance with the Charitable Solicitations Act, NMSA 1978, §57-22-1 et seq. and with the filing requirements by the New Mexico Attorney General’s Office under that Act.

SERVICE PROVIDER SCORING CRITERIA

Criteria	Maximum Score
Financial Strength	25
Construction and Rehabilitation Experience	30
Implementation Plan	20
Waiting List	15
Underserved Counties	10
Total Maximum Points	100

Financial Strength – 25 Possible Points	
<u>External Audit (10 possible points)</u>	
Unresolved findings	0
Independent Audit with management letter and auditor-cleared findings	5
Independent Audit with zero findings	10

Independent audit or audited financial statements must be for the most recent completed fiscal year not ending earlier than 2022. Audit materials must include management’s response to any findings and corrective action to clear the finding or provide details on the current status of a finding.

Financial Management (15 possible points)

Strength of internal control policy	10
Board of Director by-laws showing fiscal oversight	5

Provide the policy for the Applicant’s system of internal controls for fiscal management as documented in a policies and procedures manual approved by the Applicant’s Board of Directors/Owner.

Provide by-laws requiring Board of Director’s/Owners fiscal oversight.

Construction and Rehabilitation Experience – 30 Possible Points

Complete the Field Experience and Capacity form and Project List in the

HOME REHABILITATION PROGRAM Project Application

Names and years of experience for Individuals that will be managing the program	Years of Experience	Capacity/Role/Services Offered
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Number of Construction &/or Rehabilitation Projects Completed for MFA’s **HOME** Program (10 possible points)

0-4 units	0
5 plus units	5
7 plus units	7
10 plus units	10

Number of Construction &/or Rehabilitation Projects with other Federal Rehab Programs (10 possible points)

0-4 units	0
5 plus units	5
7 plus units	7
10 plus units	10

Number of Years’ Experience with Construction and Rehabilitation Projects (10 possible points)

Less than 15 years of combined experience	5
15 to 24 years of combined experience	7

25 plus years of combined experience	10
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Implementation Plan – 20 Possible Points

Provide a summary of how the service provider will implement HOME Rehabilitation Program, a description of the process to be undertaken, listing all major steps chronologically. Also include an estimated timeline.

Implementation (20 possible points)

Executive Summary	5
How home rehabilitation fits into service providers mission	10
Quality Assurance Plan	5

Waiting List – 15 Possible Points

Service provider must provide property addresses for eligible homes
 Number of Projects on Waiting List (up to 15 possible points)

1-5 Projects	5
5-10 Projects	10
10 or more Projects	15

Underserved County Projects – 10 Possible Points

Full Points will be awarded to service providers who commit to providing home rehab services to two or more of the following counties:

<ul style="list-style-type: none"> • San Juan • McKinley • Cibola • Rio Arriba • Taos • Colfax • Mora • San Miguel • Union • Los Alamos 	<ul style="list-style-type: none"> • Harding • Quay • Guadalupe • Curry • De Baca • Lincoln • Chavez • Roosevelt • Otero • Lea 	10
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OTHER INFORMATION

INCURRED EXPENSES

MFA shall not be responsible for any expenses incurred by an Applicant in applying for HOME Rehabilitation Program funding. All costs incurred by an Applicant in the preparation, transmittal or presentation of any application or material submitted in response to this NOFA will be borne solely by the Applicant.

PROTEST

Any Applicant who is aggrieved in connection with this NOFA or the notification of preliminary selection to this NOFA may protest to MFA. A protest must be based on an allegation of a failure to adhere to the evaluation process as designated in the NOFA, including MFA’s evaluation of proposals.

The protest must be delivered to MFA via e-mail marmijo@housing.org within five (5) business days after the preliminary notice of award. Protests received after the deadline will not be considered. Upon the timely filing of a protest, MFA shall give notice of the protest to all Applicants who appear to have a substantial and reasonable prospect of being affected by the outcome of the protest. The Applicants receiving notice may file responses to the protest within five (5) business days of notice of protest. The protest and responses to the protest shall be reviewed by the MFA Policy Committee, the Policy Committee shall either make a final determination.

No appeal of the determination shall be allowed. Applicants or their representatives shall not communicate with members of MFA’s Board of Directors, or any MFA staff member regarding any application under consideration, except when specifically permitted to present testimony to the Board. An application will be deemed ineligible if the Applicant or any person or entity acting on behalf of the Applicant attempts to influence members of the MFA Board of Directors or MFA staff during any portion of the NOFA review process or does not follow the prescribed application and protest process.

CODE OF CONDUCT

Applicants, including members of the Applicant's board, shall warrant that it has no interest, direct or indirect, which would conflict in any manner or degree with the performance of services related to this application. The Applicant shall always conduct itself in a manner consistent with the MFA's Third-Party Code of Conduct. A copy of the MFA Third Party Code of Conduct is posted on the MFA website for review at [https://housingnm.org/uploads/documents/Third Party Code of Conduct.pdf](https://housingnm.org/uploads/documents/Third_Party_Code_of_Conduct.pdf) . Upon request by MFA, Applicant shall disclose information that MFA may reasonably request relating to conflicts or potential conflicts of interest.

USE OF ELECTRONIC VERSIONS OF THIS NOFA

This NOFA is being made available by electronic means. If accepted by such means, the Applicant acknowledges and accepts full responsibility to ensure that no changes are made to the NOFA. In the event of a conflict between a version of the NOFA in the Applicant's possession and the version maintained by MFA, the version maintained by MFA will govern.

HOME REHABILITATION PROGRAM NOTICE OF FUNDING AVAILABILITY (NOFA) FORMS

The HOME Rehabilitation Program NOFA and forms may be obtained from MFA's website.

The service provider application and project application must include all required forms, documentation, schedules, certifications listed on their respective checklists.

Exhibit A

Application

Notice of Funds Available (NOFA)

HOME Rehabilitation Program

New Mexico Mortgage Finance Authority
344 Fourth St. SW
Albuquerque, New Mexico 87102
(505)843-6880

Applicants must complete and submit the Service Provider application form with all required documents included in the *Service Provider application checklist*. MFA staff will evaluate the application using the Minimum Qualifications and Requirements, and Service Provider evaluation and scoring criteria listed below. Upon approval, MFA and the Service Provider will enter into a Performance Agreement with a term to be determined by MFA based on service provider capacity and other factors. Upon execution of the Performance Agreement, project applications can be submitted for project awards.

MFA staff may contact Applicants for clarification of the information provided in the application process.
Entity Type:

- Non-Profit Organization
- For-Profit Organization
- Governmental Housing Agency or Authority
- Governmental Entity
- Governmental Instrumentality
- Regional Housing Authority
- Public Housing Authority
- Tribal Government
- Tribal Housing Agency or Housing Authority
- Other

Offeror _____ Application Date _____

Federal Tax ID _____ UEI # _____

Address _____

City _____ State _____ Zip _____

Contact Person _____ Title _____

E-Mail _____ Phone _____ Fax _____

Offeror Website _____

Minimum qualification and requirements

1. Be organized under state, local, or tribal laws and can provide proof of such organization and that Applicant is in good standing, as applicable.
2. A functioning accounting system that is operated in accordance with generally accepted accounting principles or has designated an entity that will maintain such an accounting system consistent with generally accepted accounting principles or has a fiscal agent familiar with affordable housing programs and projects or in lieu of an audit, an independent CPA's review of financial statements, signed by the reviewer.
3. No significant financial audit findings, and no significant outstanding or unresolved monitoring findings from any governmental entity, or from MFA, or otherwise; or if it has any such findings, it has a certified letter from the governmental entity, MFA, or otherwise stating that the findings are in the process of being resolved.
4. Not having been suspended, debarred, or otherwise restricted by any department or agency of the Federal Government or any State government from doing business with such department or agency because of misconduct or alleged misconduct.
5. Not having defaulted on any obligation covered by a surety or performance bond.
6. Insurance Requirements – service provider applicants must maintain acceptable General Liability Insurance and work with qualified and licensed and bonded contractors.

Non-profit applicants must also provide proof of the following:

1. 501(c)(3) tax status;
2. Having no part of its net earnings inuring to the benefit of any member, founder, contributor or individual; and
3. Compliance with the Charitable Solicitations Act, NMSA 1978, §57-22-1 et seq. and with the filing requirements by the New Mexico Attorney General's Office under that Act.

The following criteria must be met by all Applicants to be considered an approved Service Provider to receive HOME Rehabilitation Program funding. To assist MFA in the scoring process, applicants must provide all requested documents listed in the Scoring Criteria section. Applicants must score a **minimum of 70 points** of the total points possible.

SCORING CRITERIA

FINANCIAL STRENGTH – 25 Possible Points

External Audit – 10 Possible Points

Independent audit or audited financial statements must be for the most recent completed fiscal year not ending earlier than 2022. Audit materials must include management's response to any findings and corrective action to clear the finding or provide details on the current status of a finding.

Financial Management – 10 Possible Points

Provide the policy for the applicant's system of internal controls for fiscal management as documented in a policies and procedure manual approved by the applicant's Board of Directors/Owner

Financial Management – 5 Possible Points - Provide by-laws requiring Board of Director's/Owner fiscal oversight.

Number of Construction &/or Rehabilitation Projects with other Federal Rehab Programs (10 possible points)

List Construction &/or Rehabilitation Projects

Please provide a list of Projects the Agency has completed in the last three years.

Project Location/Description	Date Completed

Number of Years Experience with Construction and Rehabilitation Projects – 10 Possible Points

Field Experience and Capacity

Please provide the Names and years of experience for individuals that will be managing the HOME Rehab Program

Name	Years of Experience	Capacity/Role

IMPLEMENTATION PLAN – 20 Possible Points

Executive Summary- 5 Possible Points

Executive Summary of the agency detailing what comprises the agency and the agency’s mission statement.

How HOME Rehabilitation fits into agencies mission- 10 Possible Points

Provide an explanation of how HOME Rehabilitation fits into the agency’s mission and why this program will support the mission. In addition, please include answers to the following questions:

- Describe how your organization will prioritize the funds to assist low to moderate income populations.
- Describe how your organization will prioritize the funds to assist the elderly, persons with health issues, minority, and indigenous populations as it relates to providing HOME Rehabilitation services.
- Describe your organization’s HOME Rehabilitation outreach efforts.

Quality Assurance Plan- 5 Possible Points

Quality Assurance plan that thoroughly describes how Applicant will ensure the highest level of service.

WAITING LIST – 15 Possible Points

Number of Projects on Waiting List (up to 15 possible points)

Homeowner Name	Property Address

UNDERSERVED COUNTY PROJECTS – 10 Possible Points

Place an (x) next to the county your agency is willing to commit to providing home rehabilitation services.

San Juan	<input type="checkbox"/>	Quay	<input type="checkbox"/>
McKinley	<input type="checkbox"/>	Guadalupe	<input type="checkbox"/>
Cibola	<input type="checkbox"/>	Curry	<input type="checkbox"/>
Rio Arriba	<input type="checkbox"/>	De Baca	<input type="checkbox"/>
Taos	<input type="checkbox"/>	Lincoln	<input type="checkbox"/>
Colfax	<input type="checkbox"/>	Chavez	<input type="checkbox"/>
Mora	<input type="checkbox"/>	Roosevelt	<input type="checkbox"/>
San Miguel	<input type="checkbox"/>	Otero	<input type="checkbox"/>
Union	<input type="checkbox"/>	Lea	<input type="checkbox"/>
Harding	<input type="checkbox"/>	Los Alamos	<input type="checkbox"/>

Exhibit B

Documentation Submission Checklist

Offeror must submit this checklist with the application.

Applicant Initials	Item Required
	Complete Service Provider Application with all requested information and Signature of Authorized Official on behalf of Applicant (Exhibit A)
	Proof organization is formed under state, local, or tribal laws and provide proof of such organization such as Articles of Incorporation
	Current Business License
	Organizational Chart
	Organization Mission Statement
	"Good Standing" Certification
	Provide one copy of the most recent independent Certified Public Accountant (CPA)'s auditor's report (audit) conducted in accordance with Government Auditing Standards (GAS) or a recent MFA approved audit letter
	Articles of incorporation, charter, by-laws, or resolution the evidences the organization has among its purposes the staffing capacity to provide significant activities related to providing HOME Rehabilitation services to low to moderate income individuals/families
	Resumes of the management and staff who will be administering the HOME Rehabilitation program
	Organizations Board of Directors or governing body information
	HOME Rehab Program Applicant's Certification
	HOME Rehab Program Applicant's Reputation Certification
	Accounting Practices Certification
Non-Profit Only	
	A 501 (c)(3) or (4) Certificate from the IRS
	Articles of incorporation or charter that evidence that no part of the non-profit's net earnings inures to the benefit of any member, founder, contributor, or individual.
	Proof of current registration as a charitable organization with the New Mexico Attorney General's Office for fiscal year ending in 2022 or proof of exemption therefrom (must include all pages of registration form)

I certify that the forms and documents submitted according to this checklist are true and correct.

Signature

Date

Exhibit C

Additional information requested for submission to this NOFA

What county is your organization located in? _____

Based on the program requirements, what counties does your organization have the capacity to serve? Check all that apply.

- | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> Bernalillo | <input type="checkbox"/> Guadalupe | <input type="checkbox"/> Quay |
| <input type="checkbox"/> Catron | <input type="checkbox"/> Harding | <input type="checkbox"/> Rio Arriba |
| <input type="checkbox"/> Chaves | <input type="checkbox"/> Hidalgo | <input type="checkbox"/> Roosevelt |
| <input type="checkbox"/> Cibola | <input type="checkbox"/> Lea | <input type="checkbox"/> Sandoval |
| <input type="checkbox"/> Colfax | <input type="checkbox"/> Lincoln | <input type="checkbox"/> San Juan |
| <input type="checkbox"/> Curry | <input type="checkbox"/> Los Alamos | <input type="checkbox"/> San Miguel |
| <input type="checkbox"/> De Baca | <input type="checkbox"/> Luna | <input type="checkbox"/> Santa Fe |
| <input type="checkbox"/> Dona Ana | <input type="checkbox"/> McKinley | <input type="checkbox"/> Sierra |
| <input type="checkbox"/> Eddy | <input type="checkbox"/> Mora | <input type="checkbox"/> Socorro |
| <input type="checkbox"/> Grant | <input type="checkbox"/> Otero | <input type="checkbox"/> Taos |
| | | <input type="checkbox"/> Torrance |
| | | <input type="checkbox"/> Union |
| | | <input type="checkbox"/> Valencia |

If your organization proposes to serve counties outside of the county where you are located, describe how you will serve the targeted population in those counties with regards to outreach and capacity to serve these areas providing HOME Rehabilitation services.

TRIBAL AREAS:

Based on the Program requirements, what Tribal Area(s) does your organization have the capacity to serve? Check all that apply.

- | | | |
|--|--|-------------------------------|
| <input type="checkbox"/> Acoma | <input type="checkbox"/> Ohkay Owingeh | <input type="checkbox"/> Ute |
| <input type="checkbox"/> Cochiti | <input type="checkbox"/> Picuris | <input type="checkbox"/> Zia |
| <input type="checkbox"/> Isleta | <input type="checkbox"/> Pojoaque | <input type="checkbox"/> Zuni |
| <input type="checkbox"/> Jemez | <input type="checkbox"/> Sandia | |
| <input type="checkbox"/> Jicarilla | <input type="checkbox"/> San Felipe | |
| <input type="checkbox"/> Kewa | <input type="checkbox"/> San Ildefonso | |
| <input type="checkbox"/> Laguna | <input type="checkbox"/> Santa Ana | |
| <input type="checkbox"/> Mescalero | <input type="checkbox"/> Santa Clara | |
| <input type="checkbox"/> Nambe | <input type="checkbox"/> Taos | |
| <input type="checkbox"/> Navajo Nation | <input type="checkbox"/> Tesuque | |

In addition, does your organization have experience with the Following? Check all that apply.

- YES NO Experience administering federal grants – specifically those intended towards the Rehabilitation of homes.
- YES NO Experience with Federal Regulations
- YES NO Experience with the HOME Rehabilitation Program
- YES NO Experience with Contract Management
- YES NO Experience with Case management (targeted to the HOME Rehabilitation)
- YES NO Experience with Outreach (housing and qualified applicant search)
- YES NO Experience with Income Limits and Determination Calculation
- YES NO Experience with Property Eligibility (HOME Rehabilitation)
- YES NO Experience with Eligible Program Costs
- YES NO Experience with Lead-based paint requirements (HOME Rehabilitation)
- YES NO Experience with Unit inspections – habitability, other, specify
- YES NO Experience with Environmental Reviews (targeted to the HOME Rehabilitation)
- YES NO Experience with Project Set Up/Completion and Invoicing Requirements (targeted to the HOME Rehabilitation)
- YES NO Experience with Financial Management Requirements (targeted to the HOME Rehabilitation)
- YES NO Experience with Construction Management Requirements (targeted to the HOME Rehabilitation)

Exhibit D

"GOOD STANDING" CERTIFICATION

Applicant Name

I certify that _____ is in "good standing" with all applicable federal, state, and local and MFA rules and regulations as of the date this application. (Applicant must have no unresolved findings including but not limited to the State of New Mexico, funding sources, partners and MFA. This is not applicable for new agencies.)

Signature of Authorized Official on behalf of Applicant

Date

Printed Name

HOME REHABILITATION PROGRAM APPLICANT’S CERTIFICATION

_____ (“Applicant”) is submitting an application to the Mortgage Finance Authority (“MFA”) to be considered for funding from HOME Rehabilitation Program

Applicant certifies that:

It will abide by all applicable federal and state of New Mexico laws and all applicable statutory, regulatory, and judicially created rules and guidelines.

It understands that MFA will monitor its performance and compliance. It is in good standing with all its funding sources.

It complies with MFA’s Third-Party Code of Conduct, Equal Employment Law, and all government regulations regarding nondiscriminatory employment practices.

It understands and represents that any performance agreement it enters into with MFA will be binding in all respects. It is currently registered with the NM Attorney General’s Registry of Charitable Organizations, if applicable.

This proposal shall be valid until the performance agreement is awarded.

I HEREBY CERTIFY THAT ALL INFORMATION PROVIDED IN THE SERVICE PROVIDER APPLICATION IS TRUE AND CORRECT, AND THAT I HAVE THE AUTHORITY TO BIND THE APPLICANT TO THE ASSURANCES, AS WITNESSED BY MY SIGNATURE BELOW.

Name: _____

Title: _____

Date: _____

Signature: _____

**HOME REHABILITATION PROGRAM APPLICANT'S REPUTATION
CERTIFICATION**

Applicant: _____

Describe any current or pending litigation, allegations, administrative proceedings, or investigations by any party, including any regulatory agency or funding entity, which could potentially impact the reputation or financial viability of the Applicant.
(If none, write "None")

I HEREBY CERTIFY THAT ALL INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT, AND THAT I HAVE DISCLOSED ANY ISSUES THAT COULD IMPACT THE REPUTATION OF THE APPLICANT.

Name: _____

Title: _____

Date: _____

Signature: _____

ACCOUNTING PRACTICES CERTIFICATION

Offeror: _____

Offeror has a functioning accounting system that is operated in accordance with Generally Accepted Accounting Principles (GAAP) or has designated an entity that will maintain such an accounting system that is consistent with GAAP and agrees to maintain the system if it administers the HOME Rehabilitation programs.

If Offeror uses another designated entity, provide the name of the agency/firm/individual.

Offeror Signature

Date