



CLARK COUNTY, NEVADA COMMUNITY HOUSING OFFICE

PROGRAM GUIDE & APPLICATION INSTRUCTIONS

For

Development of Affordable Multi-Family Rental Housing

At

**Flamingo & Riley
Including Community Housing and off-cycle HOME/AAHTF funds**

Issued by

CLARK COUNTY Community Housing Office
LAS VEGAS, NEVADA

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Terms/Definitions

The following terms are used throughout this document:

- **"AAHTF"** Account for Affordable Housing Trust Funds
- **"AMI"** Area median income
- **"APN"** Assessor's Parcel Number
- **"AFFORDABILITY PERIOD"** The amount of time a development must remain affordable, pursuant to rent and income restrictions as defined in conveyance documents and the DDFA
- **"APPLICANT"** or **"APPLICANTS"** Any respondents to this APPLICATION including all members of the development team, aka the DEVELOPER
- **"APPLICATION"** A response to this application
- **"BOARD"** The Clark County Board of County Commissioners
- **"BLM"** Bureau of Land Management (U.S. Government)
- **"CHF"** Community Housing Fund (funding source from Clark County for affordable housing)
- **"CHO"** Clark County Community Housing Office
- **"COUNTY"** Clark County, a jurisdictional entity in Nevada
- **"CO-APPLICANTS"** must also be Co-Owners and have a role in the ownership structure of the development
- **"DDFA"** Disposition, Development and Funding Agreement; an agreement between the COUNTY and the selected DEVELOPER
- **"DEVELOPER"** An entity that oversees construction and/or operation of an affordable housing development, such as the one proposed in this APPLICATION
- **"FFS"** Financial Feasibility Spreadsheet
- **"HOME"** HUD HOME Investments Partnerships Program (funding source)
- **"HUD"** The United States Department of Housing and Urban Development
- **"LIHTC"** The federal low-income housing tax credit under Internal Revenue Code Section 42
- **"NHD"** Nevada Housing Division (State)
- **"NOMINATION"** Assembly of documents and supporting information from Proponent to BLM for the disposition of land reserved for affordable housing pursuant to SNPLMA 7(b)
- **"NORA"** Notice of Realty Action (part of the BLM land transfer process)
- **"PATENT"** Method of conveying title from BLM to Clark County
- **"PAB"** Private Activity Bonds
- **"PROPONENT"** State or Local Governmental Entity submitting a NOMINATION to BLM requesting the purchase of public land for Affordable Housing pursuant to SNPLMA 7(b)

- **“QUIT CLAIM DEED”** Method to transferring title from Clark County to the DEVELOPER
- **“SITE”** The USA/BLM owned land being nominated for purchase pursuant to SNPLMA 7(b) and that will accommodate the affordable housing development proposed in this APPLICATION
- **“SNPLMA”** The Southern Nevada Public Lands Management Act; 7 (b) is the subsection of this Federal law that authorizes the disposal of public lands at less than fair market value for the development of affordable housing units

Introduction

Clark County (COUNTY) is the nation’s 11th largest county and provides extensive regional services to more than 2.4 million citizens and home to the Las Vegas Strip, receives over 43 million visitors a year. In response to being one of the most challenged markets in the country for housing affordability, the Clark County Board of County Commissioners (BOARD) made a historic investment in 2022 by establishing the Community Housing Office (CHO) and creating [Welcome Home](#), a set of programs to increase affordable housing in Southern Nevada.

As part of Welcome Home and pursuant to Section 7(b) of the Southern Nevada Public Lands Management Act (SNPLMA), COUNTY is pleased to open this APPLICATION offering land and funding for the purpose of developing affordable housing on +/- 10 acres of vacant land at the northwest corner of Flamingo Road and Riley Street known as a portion of APN: 163-17-801-004 (SITE). COUNTY has reserved the SITE for affordable housing development and is in the process of submitting a formal NOMINATION. This NOMINATION to BLM will require consultation with HUD and, upon approval, will proceed through the Notice of Realty Action (NORA) period and be conveyed to the COUNTY.

SNPLMA 7(b) allows the BLM to sell land at a significant discount (currently \$100/acre) for affordable housing. The legislation requires BLM to “consult” with the U.S. Department of Housing and Urban Development (HUD) to ensure affordability requirements will be met. Affordable housing pursuant to the SNPLMA 7(b) legislation is housing that serves low-income households, as defined in Section 104 of the Cranston-Gonzalez National Affordable Housing Act, whose income does not exceed 80% Area Median Income (AMI) as determined by HUD. This low-cost land will be leveraged with state and local funding sources to further facilitate the development of desperately needed affordable housing to households at or below the required 80% AMI threshold.

Through this APPLICATION, the COUNTY is soliciting qualified DEVELOPERS to submit proposals for the development of affordable multi-family rental housing on the SITE, subject to the terms set forth in this APPLICATION. The SITE will be acquired from the BLM via PATENT then conveyed from the COUNTY to the DEVELOPER chosen from this APPLICATION. In addition to the land contribution, the COUNTY will also make available up to \$8 Million in CHF funds, and up to \$2M in off-cycle HOME/AAHTF funds in the form of a loan to the development.

The COUNTY recognizes the unprecedented high cost of housing facing Clark County residents and is eager to provide support to make more affordable housing development possible through this opportunity. Through this APPLICATION the COUNTY does not intend to be the sole source, or main source, of funding for this proposed development and expects APPLICANTS to exhaust other available funding and financing sources including: 9% and/or 4% LIHTC, tax-exempt bonds (PAB), public or private grants, conventional bank loans, Federal or State Governmental loans, State of Nevada Growing Affordable Housing Financing Program (GAHP) financing or State of Nevada Tax Credits, HOME/AAHTF funds, Housing Trust Funds, etc. It is the COUNTY’s intent to provide this land and gap funding for the development to increase the number of lower AMI units available in the Las Vegas valley.

The COUNTY will use the information gathered through this APPLICATION process as a basis to negotiate the Disposition, Development and Funding Agreement (DDFA) and make a final determination of funding.

General Application Information

This APPLICATION is for the development of affordable housing. It is not an APPLICATION to assist with housing individuals and families. If you need housing assistance, please contact Clark County Social Services (702) 455-4270.

Communication with the CHO

Those who plan to submit an APPLICATION should send an email to chf@clarkcountynv.gov and request to be added to our Interested Parties List. Please write "Flamingo & Riley Application Interest List" in the subject line of your email. The COUNTY will create a list of interested parties to whom they will provide email updates, as they become available. If you do not request to be on the Flamingo & Riley Application Interest List, you will not receive any further information related to this APPLICATION.

For written **questions** on the CHF program or questions related to this APPLICATION, email them to chf@clarkcountynv.gov with "Flamingo & Riley Application Question" in the email subject line. For questions specific to the HOME/AAHTF programs, email them to cchome@clarkcountynv.gov with "Flamingo & Riley Application Question" in the email subject line. Questions submitted prior to the Pre-APPLICATION meeting will be answered via email collectively to the Interested Parties List either prior to, or at the Pre-APPLICATION meeting. Questions submitted after the Pre-APPLICATION meeting must be submitted by August 4th, 2025, and all questions with final responses from CHF staff will be emailed collectively to the Interested Parties List no later than August 7th, 2025.

ZoomGrants

All APPLICATIONS must be submitted through ZoomGrants. Following is the link to the ZoomGrants APPLICATION: <https://www.zoomgrants.com/gprop.asp?donorid=2092&limited=5684> APPLICANTS must complete the Summary, General APPLICATION questions, and upload all required documents within ZoomGrants by the deadline indicated below. There is no Pre-APPLICATION to complete in ZoomGrants. **No extensions will be granted.**

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

APPLICANTS must also submit:

- An email to chf@clarkcountynv.gov to receive further updates and information regarding this APPLICATION (Register on the Interested Parties List).
- **APPLICATIONS no later than 5:00 pm (PST) August 11th, 2025.**

Pre-APPLICATION Meeting

A **Pre-APPLICATION Meeting** will be held on **July 17th, 2025 at 3:00 pm (PST)**. All parties who plan on submitting a response to this APPLICATION should attend the Pre-APPLICATION Meeting. The meeting will be held via virtual conference. The purpose of the meeting is to answer questions concerning the

APPLICATION. An invite with a meeting link will be sent to all parties included on the Interested Parties List.

Threshold Qualifications

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

- 1) Completed development and construction of at least two multi-family affordable housing developments that used public funding associated with affordable housing in the past five years (LIHTC, HOME, CHF, etc.).
- 2) A demonstrated ability to finance the proposed development on commercially reasonable terms from financial institutions, including reference letters from two third-party lenders or investors.
- 3) APPLICATION and all requested narratives and attachments must be complete and received by the APPLICATION submission deadline.
- 4) APPLICANT must provide a fully completed preliminary budget and proforma using the COUNTY's Financial Feasibility Spreadsheet (FFS), including each anticipated source of funding, and the anticipated funding amount.
- 5) The proposed activity(ies) must be eligible under the COUNTY's Program Guidelines, as outlined in this document.
- 6) APPLICANT team members must not be debarred or otherwise prohibited from conducting business with Clark County, the State of Nevada, or the Federal Government.
- 7) APPLICANT must possess a valid State of Nevada and Clark County Business License, as well as a NV Secretary of State Verification of Good Standing. If APPLICANT is from another State, provide the equivalent from your State; and if APPLICANT does not have Nevada and local business licenses at time of submission, APPLICANT must provide proof that they have applied for the applicable licenses and must receive them prior to financial closing.
- 8) APPLICANT must be in good standing with the COUNTY including in compliance with all previously awarded funds.
- 9) APPLICANTS, CO-APPLICANTS and affiliates must disclose any past participation in the LIHTC Qualified Contracts process in Nevada or any other state. APPLICANT may be disqualified for such past participation.
- 10) The APPLICANT must be a non-profit entity whose mission includes the development and/or management of affordable housing.

The above criteria establish the "minimum" requirements the COUNTY will accept in the APPLICANT'S proposals.

SITE AND DEVELOPMENT INFORMATION

Property Description and Site Map

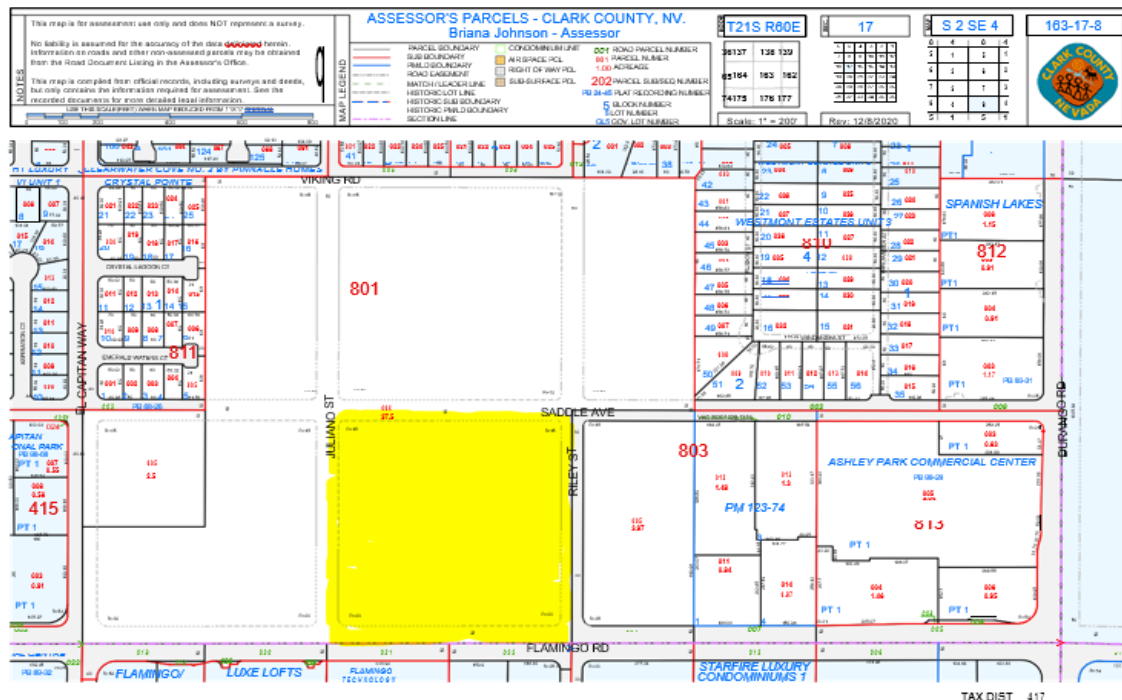
The SITE is currently owned by US Government (BLM) and represents a 10-acre portion of a larger 37.5-acre site within unincorporated Clark County (APN: 163-17-801-004). The SITE location is the southeastern portion of the larger APN, found at the northwest corner of Flamingo Road and Riley Street. It is approximately 1,250' west of Durango Drive in the Spring Valley planning area, 89147 (Clark County-Commission District F).

The SITE currently exists as vacant land with generally level topography and the adjacent/nearby land uses consist of:

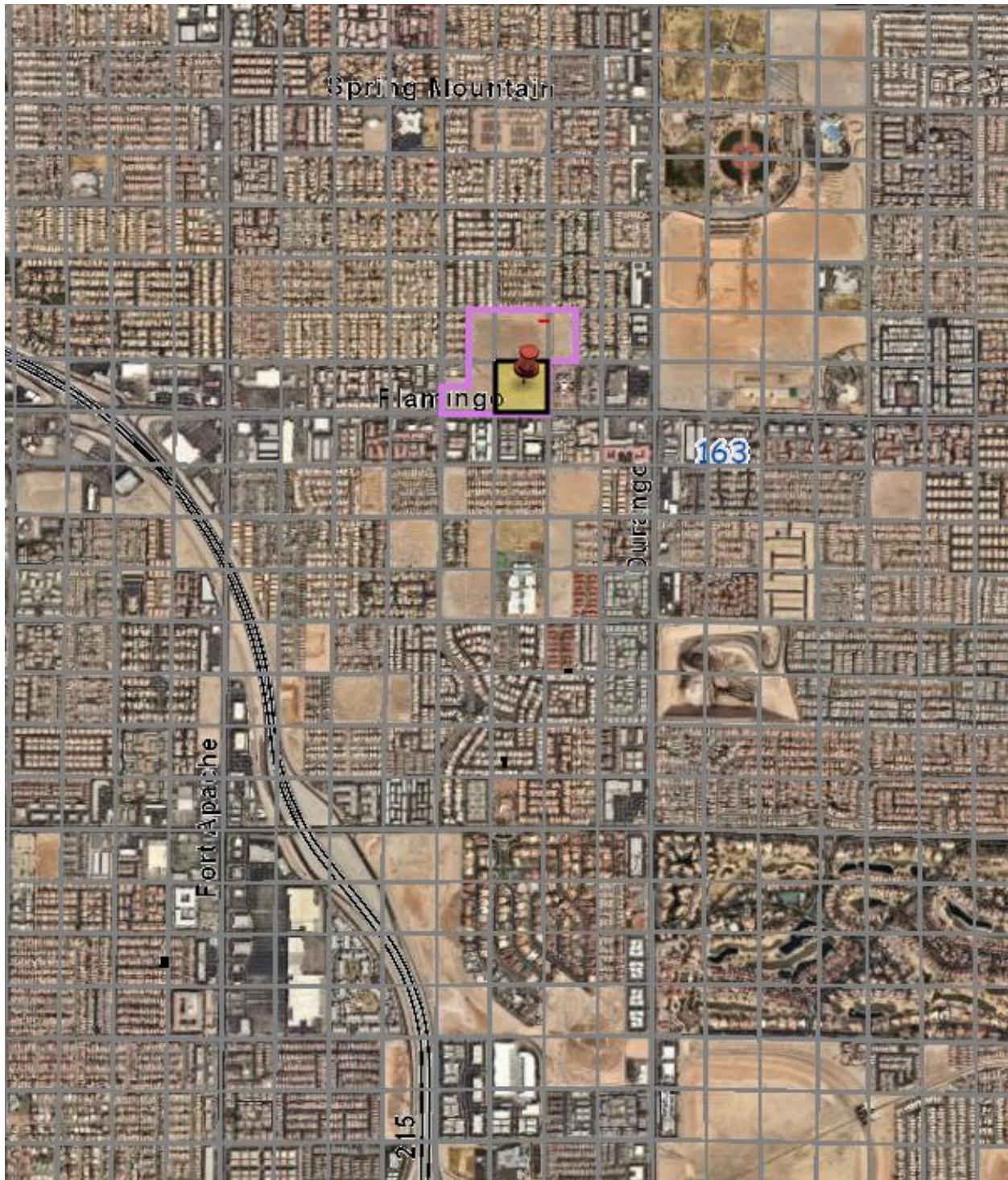
- **North:** Vacant Land/School District lease & single-family residences further north
- **South:** Commercial/Office & multi-family residential (opposite Flamingo Rd)
- **East:** Heritage Springs Assisted Living/Memory Care & NV HAND Flamingo Pines (RM32)
- **West:** Vacant Land/State of Nevada BLM Reservation

Street improvements including curb, gutter, streetlights and sidewalks have been installed along Flamingo Road, though detached sidewalks may be required. Riley Street is paved but will require the DEVELOPER to dedicate and install the remaining street improvements along the property's eastern boundary. DEVELOPERS will need to coordinate with the Clark County's Public Works department to confirm if a dedication will likely be required along Saddle Avenue and possibly along the Juliano Street alignment.

Existing Parcel Map



Aerial/Location Map



Note: The purple outline is the parcel boundary, the black outline is the SITE

Zoning, Land Use and Design Considerations

The SITE was previously upzoned by the BOARD in anticipation of an affordable housing development. The SITE currently has a Master Plan category of Open Lands and is zoned RM32 (Residential Multi-Family

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32) which allows for attached multi-family residential development up to a density of 32 units per acre. This zoning is generally compatible with the surrounding land uses. At 10 gross acres, the SITE could yield approximately 320 units based on the existing zoning. The SITE is also eligible for a density bonus under the COUNTY's new Title 30 Development Code, subject to a Special Use Permit.

The approved APPLICANT will be responsible for meeting all planning and zoning requirements for the proposed development, including gaining approval by the proper municipal, County, and State entities and related governing bodies. The approved APPLICANT will also be responsible for performing all necessary surveys, completing any required mapping and construction permitting processes, and for meeting all environmental requirements for development. The approved APPLICANT will be responsible for all the associated cost and expenses. COUNTY is under no obligation to grant any entitlements, permits, licenses, or other approvals but will assist as needed within its capacity for entitlement requirements leading up to the transfer of the SITE per the DDFA.

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

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

Developer Application/Proposed Development

As allowed under BLM's new SNPLMA 7(b) guidance document, COUNTY is pursuing a simultaneous NOMINATION and APPLICATION to expedite development of this SITE. A formal NOMINATION of this SITE is currently being submitted to the BLM field office in Las Vegas. If approved by the BLM (Nevada State Office), in consultation with HUD, the NOMINATION will then proceed through the NORA process where it will eventually be published in the Federal Register for public review. The BLM then issues a PATENT conveying the SITE to the COUNTY. Each of these steps is subject to federal government review and approval. The NOMINATION process is concurrent with this APPLICATION process, the APPLICANT selection process, and subsequent negotiation of the DDFA between the selected APPLICANT and the COUNTY.

In this APPLICATION, the COUNTY is soliciting a qualified DEVELOPER for the SITE. Minimum requirements included and required in the BLM NOMINATION are covered in greater detail in this Program Guide and Application Instructions. The COUNTY's NOMINATION application has guaranteed that the development proposed for the SITE (and developed by the selected APPLICANT) will meet the requirements set forth in this APPLICATION.

General Requirements:

Some requirements included herein are to meet BLM rules for the sale of a parcel to a local government entity for affordable housing. It is important that applicants meet all requirements included in this

Program Guide. The following is a summary of general development requirements and development criteria that all APPLICANTS must factor into their APPLICATIONS:

- **Ground Lease:** If the developer requests a ground lease instead of transfer and ownership of the parcel, then the lease will be 99 years.
- **Developer Experience & Status:** APPLICANT will be scored on affordable housing development experience, financial capacity and their ability to successfully navigate the entitlement and land use process. They will be disqualified if found to have exited the LIHTC program through the QC (Qualified Contract) process, debarred on Sam.Gov and/or are not properly registered and in good standing with the Nevada Secretary of State.
- **BLM Requirements:** The proposed development will be required to meet all BLM requirements pursuant to SNPLMA 7(b) and their latest guidance document.
- **Construction Timing:** All planned living units are required to be completed within **five years** of issuance of the PATENT.
- **Total Number of Affordable Housing Units:** Current zoning allows approximately 320 units. APPLICANTS will have the ability to score bonus points if their proposal justifies an increase in the maximum potential density in consideration of available funding and design, and how well the proposed design integrates into the existing and surrounding/proposed land uses.
- **Proposed Development Overview-Occupancy Type:** APPLICANTS will be required to provide a development overview and indicate the target population, incomes targeted, unit mix, services provided including a service plan if the development includes supportive housing or for the disabled. Senior, Family and/or Disabled units are allowed.
- **Quality of the Proposed Development:** The construction materials will be required to be of good quality and compatible with the neighborhood, utilize durable/environmentally sustainable materials and include a comprehensive amenity package appropriate for the intended occupancy/target population.
- **Neighborhood Compatibility:** The SITE and building design/layout will be required to be compatible with the neighborhood, will not adversely impact COUNTY services or the surrounding area.
- **Income Eligibility:** All units will be required to be available to households at/below **80% AMI** as determined by HUD.

Land Acquisition/Ground Lease

The chosen APPLICANT will be required to negotiate and implement a DDFA with the COUNTY as a condition of the COUNTY allowing the land to be transferred via Quit Claim Deed, to the selected DEVELOPER. Prior to this transfer, COUNTY will receive title to the SITE via a PATENT from the BLM for a reduced purchase price (currently \$100/acre) but subject to change by the BLM. COUNTY will require the SITE be transferred to a non-profit entity via Quit Claim Deed for the same amount as determined by the BLM (price of PATENT transfer plus any escrow fees as stated in the DDFA). If the SITE is not used for affordable housing with a Certificate of Occupancy within five years of conveyance, it will revert to the COUNTY.

If the Developer requests a ground lease instead of purchase and transfer of the parcel, then the term of the lease will be 99 years and will be negotiated as part of the DDFA.

The APPLICATION may be referenced and become a part of the final DDFA. The DDFA may consist of one or more documents to set forth the terms of construction, operation of the development and the transfer

of the SITE to the DEVELOPER, following negotiations. Approval by the BOARD is required and may be final or tentative.

The DDFA will outline all necessary agreements and documents to ensure long-term affordability in accordance with the terms of the accepted APPLICATION; construction and operation consistent with land use planning; and will include cost recovery for lack of performance by the DEVELOPER, and any assignees, should it default during construction or operation of the development. Default may occur if the DEVELOPER fails to complete the development within time limits prescribed in the PATENT, which requires the development to be completed for residential occupancy as evidenced by a Certificate of Completion/Occupancy within five years from the date of PATENT issuance.

Funding & Development Incentives

In addition to providing the selected DEVELOPER the SITE at very low cost, this APPLICATION also includes up to \$8M in CHF and up to \$2M in off-cycle HOME/AAHTF funds that may be used as gap financing for the development of affordable housing on the SITE. It is expected that the selected DEVELOPER will seek additional sources of funding.

Award Approval and DDFA:

The selected APPLICANT will negotiate and agree to a DDFA with the COUNTY, along with a separate HOME Funding Agreement, as a condition of award. Award approval by the COUNTY will be voted on by the BOARD and may be final or tentative, but in either case will be subject to available funding. The DDFA shall be subject to review and approval by the COUNTY District Attorney's Office and the BOARD and shall include all provisions required by the BLM and outlined in the PATENT.

CHF financial assistance and off-cycle HOME/AAHTF funding will be provided in the form of a loan to the selected APPLICANT. The COUNTY will require all such loans to be secured by an acceptable Deed of Trust at the time of funding. Further, the COUNTY will require a Completion Guaranty, a Performance and Payment Guaranty, and/or a Performance and Recovery Guaranty. Funding will be awarded in an amount appropriate for the scope of the proposed development to satisfy gap financing needs in conjunction with other funding resources secured by the APPLICANT. The COUNTY reserves the right to adjust the amount of CHF and/or off-cycle HOME funds awarded to a proposed development, and to negotiate modifications to the proposed work plan and budget prior to executing the agreements.

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

The BOARD must approve the DDFA. The COUNTY cannot advance CHF or off-cycle HOME/AAHTF funds; the recipient must incur costs and request reimbursement. CHF and off-cycle HOME/AAHTF funds can only be used for eligible costs allowed by each funding source incurred after a DDFA and HOME Agreement have been fully executed.

CHF Funding:

Permanent loans for 4% LIHTC developments will have an interest rate of 3% and the term will be negotiated for repayment for 50 years dependent on other sources of debt and cash flow projections. Principal and interest payments are required from a portion of surplus cash flows after debt payments have been made beginning in year one. Terms for CHF loans for those who are also NHD GAHP recipients

will be negotiated. Permanent loans for 9% LIHTC developments will have a negotiated interest rate between 0-3%.

Off-Cycle HOME Funding:

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

Additional Funding Sources:

In addition to CHF and off-cycle HOME/AAHTF funding, which will be awarded by reimbursement as development subsidy or equity, other sources of below market financing will be necessary to meet the affordability requirements of this APPLICATION. APPLICANTS are encouraged to pursue funding from non-public sources, as available, to establish that development feasibility and affordability are in alignment with the goals of creating more affordable housing in Clark County. APPLICANTS are encouraged to incorporate all available financial tools to demonstrate development feasibility at their projected AMI rent levels, in addition to the funding available through this APPLICATION. Since combining multiple funding sources increases complexity and the time to complete a development, a qualified APPLICANT'S experience in financing and completing these types of developments should demonstrate their experience in these processes.

Planning and Development Incentives:

The development SITE is in unincorporated Clark County; therefore, APPLICANTS are eligible for development fee waivers, fee discounts and expedited processing from certain COUNTY departments including the Departments of Comprehensive Planning, Building, Fire, Public Works and the Clark County Water Reclamation District. The Planning and Development Incentives for Affordable Housing documents are included within the ZoomGrants Library and [here](#). It include details on the fee waivers and discounts, as well as how to apply. The selected APPLICANT must apply per instructions in the Planning and Development Incentives for Affordable Housing Guide to receive the fee discounts, waivers and expedited processing. Any award of funds made under this APPLICATION does not guarantee an awardee fee discounts or expedited processing.

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

Affordability Restrictions and Monitoring Requirements

As will be required in the various funding agreements and other documents, proposed developments such as those contemplated in this APPLICATION are subject to defined affordability periods and monitoring requirements. Other funding sources may require additional requirements different than those imposed by the COUNTY.

COUNTY will require a 99-year AFFORDABILITY PERIOD whether the SITE is subject to a Quit Claim Deed to a "non-profit" entity or a ground lease. If the SITE is not used for affordable housing within five years of conveyance, it shall automatically revert to the COUNTY.

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

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

Additional Application Information & Miscellaneous Requirements

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

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

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

Prevailing Wage:

COUNTY funds are not expected to trigger prevailing wage requirements. However, if triggered by other awarded funding, DEVELOPER shall ensure that the general contractors and subcontractors enforce accordingly and are bound by and comply with all federal, state and local laws regarding minimum wages, overtime work, hiring and discrimination that may apply.

Procurement:

The new proposed development would be subject to the following procurement requirements (other funding sources may impose different and/or more stringent procurement requirements):

- APPLICANT is not specifically required to use formal competitive bidding procedures, however, in all cases a development's costs must be reasonable and APPLICANT must have a procurement policy in place that is provided to the COUNTY prior to financial closing. If the APPLICANT uses competitive bidding procedures, the APPLICANT is encouraged to get multiple bids for each contract (at least three (3) bids) and the APPLICANT is required to coordinate with COUNTY staff prior to soliciting bids and/or distributing a bid package. For developments not using competitive bidding procedures, to ensure cost reasonableness, the COUNTY may require an independent third-party cost review by a consultant acceptable to the COUNTY. Additionally, any identity of

interest (related party) relationship between the APPLICANT and other development team members (e.g. general contractor, management company, etc.) must be disclosed to the COUNTY in advance.

- APPLICANT shall ensure that none of the contractors or subcontractors involved in the development are suspended, debarred, or otherwise prohibited from participating in federal-assisted contracts.

Developer Fee:

For LIHTC developments, the limitation on developer fees is the same as allowed under the applicable LIHTC Qualified Allocation Plan (QAP). The allowable developer fee for all other developments may not exceed 14% total development cost including land and excluding the developer fee. Amount of developer fee may be considered to gauge competitiveness of the APPLICATION.

Unique Entity ID and SAM Requirements:

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

Contact with COUNTY During APPLICATION Process:

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

Withdrawal of APPLICATION:

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

Rejection of APPLICATION:

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

Commitment to Long Term Affordability:

APPLICANTS, CO-APPLICANTS and affiliates must disclose any past participation in the LIHTC Qualified Contracts process in Nevada or any other state. APPLICANT may be disqualified for such past participation. APPLICANT must be committed to long-term affordability. It is important that the APPLICANT can maintain affordable housing over time and navigate the complexities of the LIHTC and

other public financing programs. The APPLICANT'S current affordable housing portfolio, including number of developments that have been fully rehabilitated through re-syndication or other financing after the original period of affordability has expired, and past participation in the LIHTC Qualified Contracts process will be taken into consideration. COUNTY reserves the right to disqualify APPLICANT based on this history.

Revisions and Interpretations:

If it becomes necessary to revise any part of the APPLICATION, a written revision will be provided to all parties on the "Interested Parties List" from COUNTY. The COUNTY is not bound by any specifications by the COUNTY's employees, unless such clarification or change is provided to APPLICANT in writing from authorized staff serving in a supervisory capacity.

Public Records:

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

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

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

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

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

Collusion and Advance Disclosures:

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

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

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

Method of Evaluation and Scoring

The APPLICATIONs may be reviewed individually by staff members, subject matter experts, community members, or consultants to assist the Community Housing Administrator. The finalists may be requested to provide the COUNTY with a presentation and/or an oral interview. COUNTY will select an APPLICATION for the award based on the factors identified below. COUNTY may make awards based on objective and/or subjective evaluation criteria, and selection will be based on which APPLICATION the COUNTY deems best suited to fulfill the requirements of this APPLICATION. COUNTY also may choose not to make an award if it determines an APPLICATION does not fully meet the requirements of this APPLICATION. The BOARD will make the final decision on the award. Each APPLICANT will be notified via email of the BOARD meeting where the award will be determined.

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

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

Scoring Criteria

- 1) ***Developer Experience*** will be scored on the APPLICANT'S ability to demonstrate experience in developing housing, with additional weight for experience developing affordable, multi-family housing. The experience must include the successful completion of at least two affordable housing developments utilizing federal, state, county, and/or municipally awarded funding within the last five years. APPLICANTS may receive up to 15 points for having:
 - at least 10 years of experience developing affordable housing developments (5 points);
 - either internal property management of their affordable housing properties or an affiliated property management entity, that has at least five years' successful management of affordable housing developments (5 points); and
 - at least two affordable rental developments constructed and managed in Clark County will be awarded an additional 5 points (APPLICANT must be part of the ownership entity for the qualifying developments).
- 2) ***Development Financial Feasibility*** will be based on the COUNTY's review of the proforma, sources and uses, and market analysis, showing strength and the ability to meet development costs and cash flow. The COUNTY will also evaluate reasonableness of costs and the extent to which the proposed funding amounts for each source are within reasonable ranges. Business terms and developer fee will also be considered in this scoring criteria. APPLICANTS may receive up to 15 points for *Development Financial Feasibility*.
- 3) ***Target Population and Mix of Income*** will be based on the proposed mix of units and ability to meet the housing needs of the target population at 80% AMI and below. Only AMI levels ending "0" will be permitted. The APPLICANT may receive up to 15 points for providing the following percentage of total units at 30% of AMI:
 - 5 points for 10% of the units at 30% AMI or below; or
 - 10 points for 20% of the units at 30% AMI or below; and
 - 5 points for 10% of the units between 30% and 50% AMI
- 4) ***Overall Quality of the Proposed Development*** will be based on the COUNTY's assessment of appearance, architecture, ability of design to fit within the style of the neighborhood and quality of proposed materials and construction. The APPLICANT may receive up to 10 points for *Overall Quality of Development*.
- 5) ***Developer Financial Capacity*** will be based on the COUNTY's evaluation of APPLICANT'S audited or unaudited financial statements and other documents, and overall DEVELOPER financial capacity to weather unexpected development variables. The APPLICANT may receive up to 10 points for *Developer Financial Capacity*.
- 6) ***Ability to Leverage COUNTY CHF and off-cycle HOME/AAHTF funds*** will be evaluated and scored based on funding commitments from other subsidized affordable housing funding sources. The APPLICANT may receive up to 10 points for *Ability to Leverage COUNTY CHF and off-cycle HOME/AAHTF funds*.
- 7) ***Sustainability***: Up to 8 points can be earned as follows:
 - Any points in excess of the minimum required (5 points for multi-family development) through the Clark County Department of Comprehensive Planning's Sustainability Provision Checklist may earn up to 4 points. Award of these bonus points requires

uploading the completed Sustainability Provision Checklist included in the ZoomGrants APPLICATION; and/or

- Decrease of energy consumption or demand for energy on the property and exceed the energy efficiency that would be achieved under the current edition of the International Energy Conservation Code (“IECC”) by at least 20%. APPLICANT may earn up to 4 points for meeting this criterion.

8) Development Readiness: APPLICATION’s will receive points based on their construction timeline and ability to deliver the proposed development in a timely manner with realistic allowances for land use entitlements, financial commitments, construction permitting, and lease-up period. All planned living units are required to be completed within five years of issuance of the PATENT. APPLICANT may receive up to 5 points for *Development Readiness*.

9) Bonus Points: Up to 8 bonus points are available for APPLICANTS that demonstrate:

- Experience working with local planning department officials, neighborhood stakeholders and elected officials through the land entitlement process. Of particular interest is that DEVELOPERS have experienced consultants and engineers on their team to work with neighborhood stakeholders and local planning department officials (Up to 2 points).
- How well the APPLICANT’S proposed occupancy type (Family and/or Senior, etc.) is supported by their market analysis and justification/support and relevancy of the proposed amenity package to their intended occupants (Up to 2 points).
- The ability to maximize potential density in consideration of available funding and design, and how well the proposed design integrates into the existing, surrounding/proposed land uses (Up to 2 points).
- Bonus points will be awarded for comparatively lower Total Development Cost (TDC) relative to the proposed development’s quality and level of amenities (Up to 2 points).

No.	Scoring Criteria	Possible Points / 96
1.	Developer Experience	15
2.	Development Financial Feasibility	15
3.	Target Population and Mix of Income (80% AMI & below) <i>*CHF funds may only be used for 0-80% AMI units; HOME funds for Low-HOME units at or below 50% AMI</i>	15
4.	Overall Quality of Development	10
5.	Developer Financial Capacity	10
6.	Ability to leverage CHF & off-cycle HOME/AAHTF Funds	10
7.	Sustainability	8
8.	Development Readiness	5
9.	Bonus Points	8

Submittal Requirements and Instructions

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

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

For questions specifically on the functioning of the ZoomGrants APPLICATION, contact ZoomGrants helpdesk at questions@ZoomGrants.com. For questions on the CHF program or questions related to this APPLICATION, email them to: chf@clarkcountynv.gov with “Flamingo & Riley Application Question” in the email subject line. For questions specific to the HOME/AAHTF programs, email them to: cchome@clarkcountynv.gov with “Flamingo & Riley Application Question” in the email subject line.

Library Contents

1. Flamingo & Riley Program Guide and Application Instructions (This Document)
2. Clark County “Planning and Development Incentives for Affordable Housing”
3. Clark County HOME/AAHTF Program Guide
4. Clark County Section 3 Policies and Procedures

Summary

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

General APPLICATION Questions

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

Documents

The DOCUMENTS Section is where APPLICANTS upload the documents required or requested. If a downloadable template is available, it will appear as a hyperlink below the document title. Download, complete, then upload under the same document title. Document titles without a downloadable template are for uploading documents requested in the APPLICATION. Please read the list below closely, along with any instructions provided for each document.

1. Development Team Qualifications and Relevant Experience:
 - a. A list of all members of the development team including APPLICANT, architects, engineers, contractors, financial or equity partners, lenders, service providers, and any other known participating APPLICANT entities participating in this development. If the development team includes a partnership between two organizations, include a partnership or operating agreement. If APPLICANT is a non-profit whose mission includes the development and/or management of affordable housing, include documentation of the mission and legal organization;
 - b. Relevant experience for each team member with a description of their previous developments and their roles in the referenced developments;
 - c. Describe APPLICANT’S experience, including length of time, managing affordable housing developments. If APPLICANT is utilizing an external management company, disclose the

- name of management company and their years of experience managing affordable housing developments;
- d. Describe APPLICANT'S experience in developing, owning and managing affordable housing;
- e. Disclose any past participation in the LIHTC Qualified Contracts process in Nevada or any other state.
- f. Provide a list of developments and include the following details for each:
 - i. The precise role that APPLICANT and principals of APPLICANT played in each development;
 - ii. Development description including dates of commencement/completion, location, concept, other land uses, size, and cost;
 - iii. Financial structure, including amount and source of equity and debt financing;
 - iv. Architecture, landscape design, and photographs of the proposed development; and
 - v. Length of time to complete the proposed development
- 2. Description of Development: Include layout, size, number of units, unit mix, proposed character, quality of development, amenities, supportive services, site improvements, etc.
- 3. Site Plan and Architectural Renderings: All drawings are to be to scale, in sufficient detail, clear hardline work with all dimensions, materials, and other notes clearly legible at 11x17-inch paper size. Any renderings submitted must be in color. The ground floor must show entries, windows, driveway entrances, urban open space areas, sidewalks and street trees. Include color elevations and a minimum of two cross sections through the most informative portions including all major elements and vertical dimensions.
- 4. Sustainability Elements: APPLICANT may elect to provide a narrative of sustainability elements to be included in the development and complete the Comprehensive Planning sustainability worksheet, if applicable. (template provided in ZoomGrants)
- 5. Ownership Chart: Must show percentage of ownership and designate all entities with an ownership interest and their role.
- 6. Partnership or Operating Agreement: Draft is acceptable for APPLICATION.
- 7. Business License: APPLICANT must possess a valid State of Nevada and Clark County Business License, as well as a NV Secretary of State Verification of Good Standing (if APPLICANT is from another State, please provide the equivalent from your State). If APPLICANT does not have business licenses at time of submission, they may provide proof that they have applied or will apply prior to financial closing.
- 8. Sam.Gov Registration and UE ID #
- 9. NV Secretary of State Verification of Good Standing; Applicant and Co-Applicant
- 10. Development Financing/Funding Letters: For all sources of funding, APPLICANT must submit associated evidence of funding. This includes LIHTC award letters, award letters for all sources of gap funding, and reference letters from two third-party lenders or investors for each source of private financing. If APPLICANT has not yet been awarded all funding, evidence that APPLICANT has applied or intends to apply must be provided. If APPLICANT has not yet applied for any one source of funding APPLICANT must provide a letter stating intent to apply and date the APPLICATION will be submitted.
- 11. Audited Financial Statements: APPLICANTS and applicable CO-APPLICANTS must submit three years' corporate audited financial statements and current year-to-date unaudited financial statements. In the event APPLICANT does not maintain audited financial statements, unaudited statements of financial condition will be accepted, if accompanied by the signed certification (provided in ZoomGrants) attesting that such unaudited financial statements reflect an accurate

and complete statement of APPLICANT'S assets and liabilities, statements of operations, cash flow, income and expense for each year reported.

12. Supportive Services Agreement (s) or MOUs: Absent any existing agreements, attach a document that describes your plans for providing support to the residents of the development.
13. Financial Feasibility Spreadsheet: The proposal must include a detailed preliminary budget including a 20-year development proforma. APPLICANT'S budget must show the associated sources and uses as a part of the budget. APPLICANTS should indicate in their budget the amount of subsidy needed from the COUNTY; however, APPLICANTS will be scored on the most efficient use of COUNTY funds to accomplish the goals outlined in this APPLICATION. The APPLICANT must use the COUNTY's Financial Feasibility Spreadsheet (provided in ZoomGrants), filled out in its entirety.
14. 20-Year Development Pro Forma: APPLICANT'S format; APPLICANTS must provide their own, internal, version of this development's pro-forma as well.
15. Development Cost and Proposed Business Terms:
 - a. APPLICANT shall clearly specify the following key business terms in their proposal:
 1. Proposed general contractor fee, both in dollar amount and percent of construction contract excluding the fee.
 2. Costs for contractor general conditions, liability insurance and payment/performance bond or letter of credit, both in dollar amount.
 3. Proposed developer fee, both the dollar amount and percent of total development costs excluding the fee (shall not exceed 14%).
 4. Other proposed developer costs, including but not limited to overhead, salaries and benefits, mark-ups or administrative fees for third party contracts, and other costs.
16. Construction Schedule/Schedule of Performance: A proposed schedule of performance indicating key milestones of development of the proposed development commencing with the execution of the funding agreement(s), including preparation of concept drawings and working drawings, preconstruction activities, land use entitlements, financing, design, construction permitting and activities, and lease up. Schedule must clearly show that the units are anticipated to be completed (Certificate of Completion/Occupancy) within 5-years of PATENT issuance.
17. Construction Cost Estimate
18. Conflict of Interest Certification
19. Debarment Certification
20. Bankruptcy, Pending Litigation and Unfavorable Judgment Certification
21. Financial Statements Certification
22. Disclosure of Ownership Form
23. Some requirements are specific to the HOME program. Please complete and use the available templates as instructed in the ZoomGrants application.

Post Development and Monitoring Requirements

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

Progress Reports

APPLICANT must submit progress reports to the COUNTY monthly after the agreements have been executed, regardless of whether the developer is requesting reimbursement, until construction is complete. After construction is complete, the APPLICANT must submit a monthly report on progress towards leasing units and income and expense reports until stabilized occupancy is achieved. APPLICANT must also comply with all post-construction reporting requirements throughout the affordability period.

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

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

Final Cost Certification

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

- A report with all expenditures, costs, and disposition of all development and CHF and off-cycle HOME/AAHTF funds.
- A summary report of all work completed by budget category.
- A certification that CHF and off-cycle HOME/AAHTF funds provided by COUNTY were used in accordance with the applicable Agreements.
- The signature from the APPLICANT'S Executive Director (or equivalent) or designated representative certifying that the information provided on the Final Cost Certification is a true and accurate statement of Total Development Costs and expenditures of CHF and HOME/AAHTF funds for the development.
- Photographs showing the work completed under the DDFA, CHF and HOME Agreements.
- A Development Completion Report.