

# APPENDIX A

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## ADDITIONAL POLICIES AND PROJECT REQUIREMENTS

**Housing Access:** Sponsors must agree that they will coordinate with or participate in the following programs with respect to any rental housing development financed with PHB resources:

- **NoAppFee** – NoAppFee has developed and implemented a secure online rental application and vacant rental unit listing solution that is available in the Portland area. The web tool provides an easily learned and intuitive user interface and experience. It will provide a simplified process for potential tenants to apply for regulated affordable housing, a tool for property management firms to manage applications for regulated rental units, and allow the City to provide an easily accessible and fully searchable database of available City-regulated housing.
- **Rent Well** is a housing readiness education class offered by certified trainers that helps potential tenants overcome barriers to renting. A landlord guarantee fund helps mitigate risks related to renting to tenants who do not meet screening criteria.

**Ninety Nine Affordability Period – Rental Housing:** Units in affordable rental housing projects must be affordable for 99 years. The income and occupancy restrictions will be documented in loan and regulatory agreements.

**Social Equity Contracting and Employment:** PHB adheres to all policy goals and objectives adopted by the City of Portland, as well as the federal Department of Housing and Urban Development that aim to increase the participation of historically disadvantaged businesses and populations in the expenditure of public funds.

PHB's social equity contracting and employment goals are described in PHB's Strategic Plan and include the following Programs:

- *Subcontractor Equity Program:* Applies to construction loan projects with PHB financing of \$150,000 or more. The Program has an aspirational goal of 20% of Hard Construction Costs for DMWESB subcontractor utilization on projects subject to the Program; within the aspirational goal, a further goal of 14% DMWBE utilization is desired. In addition, PHB has a specific focus on firms operated by people of color and expects contractors to, at a minimum, aim for a balance in utilization between minority-owned, women-owned and emerging small business. See [Appendix E](#) for full project requirements.
- *Section 3 [HUD Act of 1968 (24 CFR part 135)]* is a federal requirement for projects receiving federal funding. Section 3 requires that when employment or contracting opportunities are generated by HUD funded projects, preference is given to low income persons and business residing in the community where the project is located (Section 3 "residents and business concerns"). Owners and their contracting partners are responsible for ensuring compliance with Section 3 in the hiring and contracting decisions made on the project. PHB is responsible for overseeing and reporting to HUD on Section 3 outcomes and providing tools and resources to achieve these outcomes. The owner must include Section 3 considerations in their procurement of a General Contractor.
- *Workforce Training and Hiring Program:* Applies to construction loan projects with prime contracts of \$200,000 or more and subcontractors having a subcontract of \$100,000 or

## APPENDIX D

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more. The purpose of this program is to maximize apprenticeship and employment opportunities for minorities and women in the construction trades on projects. Program guidelines and general conditions that are effective at the time the loan agreement is executed shall be applied to the Project. See [Appendix F](#) full project requirements.

- *Equal Employment Opportunity Certification:* General contractors are required to become EEO certified by the City of Portland within 30 days of signing PHB loan closing documents. In addition, all subcontractors doing in excess of \$2500 of business with the City in a given year are required to obtain EEO certification. To obtain EEO Certification, please [visit this site](#).

### **Prevailing Wages: BOLI wages and Davis Bacon where applicable**

PHB funded projects may be subject to the State of Oregon-Bureau of Labor and Industries' (BOLI) and/or federal Davis Bacon's prevailing wage laws depending on the specifics of the project. These laws require contractors and subcontractors pay their workers on public works projects weekly, and no less than the applicable rate of wage for the type of work they perform.

When a public works project is subject to both the state and federal prevailing wage rate laws, contractors and subcontractors must pay the higher of either the state or federal prevailing wage rates for the type of work being performed.

PHB is responsible for providing technical assistance, administering, enforcing, and educating contractors, subcontractors and public agencies about the Davis-Bacon's requirements. The Bureau of Labor and Industries (BOLI) is responsible for administering and enforcing the prevailing wage laws and for educating contractors, subcontractors and public agencies about its requirements.

Below are links regarding the Davis-Bacon and BOLI regulations:

[Davis Bacon Wage Information](#)

[Prevailing Wage Oregon's Prevailing Wage Rates](#)

Projects that include commercial space of any kind, retail, office, service, etc. should assume in their budgets/proformas that BOLI wages will be required for the ENTIRE project. Projects requesting federal funds should assume that Davis Bacon requirements will be required for the entire project

**Asset Management – Rental Projects:** Asset Management is the process of achieving the long-term goals of the owner/sponsor including the acquisition, administration, and disposition of real estate. It focuses on the owner's responsibilities that are separate from property management. Eligible activities include fiscal planning including reviewing and accepting the annual audit and approving the operating and capital budgets, compliance and reporting to and interacting with lenders and regulatory bodies, oversight of property manager including selection and replacement, approving operating policies, risk management, handling legal issues, and planning for long term maintenance. These guidelines can be found at: [Asset Management Guidelines](#) Prior to closing development must submit an Asset and Property Management plan and be prepared to comply with teams must be willing to comply with reporting and monitoring requirements as established in the guidelines.

In addition, a Resident Services Plan will be required for all projects at the time of closing.