

PROPOSAL SUBMISSION CHECKLIST

Form 1

I/We hereby submit our proposal for consideration under the terms, conditions and provisions outlined in this RFP. Enclosed herewith as part of our submission are responses to all mandatory requirements, including:

ITEM	INCLUDED	COMMENT
Form 1: Submission Checklist		
Form 2: Mandatory Eligibility Checklist		
Form 3: Form of Offer		
Form 4: Business Plan (all information requested including proof of Canadian or Ontario incorporation and concept or actual drawings)		
Form 5: Proposal Summary		
Form 6: Proposed Operating Budget (year 1 to 5)		
Form 7: Development Budget		
Form 8: Project Funding Worksheet		
Form 9: Local Planning Department Proposal Review Form		
Form 10: Reference Form		
Form 11: Tax Compliance Declaration Form		
Form 12: Fairness is a Two-way Street		
Form 13: Statement of Equity Contributions		
Form 14: Statement of Insurance Provisions		
Form 15: Proof of Ownership, Option to Purchase or Leasehold Interest in Land		
Form 16: Proposal Submission Label (clearly and accurately marked)		
Signed Contribution Agreements for all partnerships providing monies, services, or other donations to the capital costs of the project, where required.		

MANDATORY ELIGIBILITY CHECKLIST

Form 2

Submissions under this RFP that do not demonstrate compliance with all the following eligibility criteria will not be selected for funding. To be considered for funding, the proponent and the project must comply with all eligibility requirements as set out in this RFP and by MMAH.

<i>CRITERIA</i>	YES	NO
The proponent meets all corporate and equity requirements, i.e., is a non-profit corporation or private sector corporation and has the 10% or 4% equity.		
The proponent has provided proof of ownership of project site or long term lease, option to purchase or option for a long term lease which remains valid for a minimum of 18 months from the date of the proposal submitted.		
The proponent has demonstrated that their projects are “development ready” and can reach the occupancy stage in a quick time-line. The focus of this program will be on proposals that can be ready to start within 3 months and completed by March 31, 2011.		
Non-profit housing corporations that currently own and manage social housing projects and wish to use their land as equity have demonstrated that the necessary consents from Niagara Regional Housing and the Province can be in place by the appropriate time.		
The proponent demonstrates a willingness to create affordable rental housing for one or more of the target population(s) and to comply with program criteria for tenant selection and initial maximum tenant income limits.		
The proponent demonstrates a willingness to provide affordable rents (80% of the annual average market rents as established by CMHC) for the 20-year affordability period including a 5-year phase-out period. Project rents committed by the proponent are set at or below 80% of the CMHC average market rent level.		
The proponent acknowledges that rent increases for all units funded under this program are subject to the legislation.		
The proponent acknowledges and demonstrates willingness to comply with the Terms and Conditions set out in Section 2.0 of this RFP.		
The proponent has a proven track record in developing and managing affordable rental housing projects and experience working with the proposed target population(s).		
Any/all partners and affiliates identified in the proposal demonstrate the capacity and financial capability to partake in proposed development.		
All project design details meet the program criteria for location (located within the Region of Niagara), building type (is new construction, conversion of non-rental space to rental, or a substantial rehabilitation of a residential building that is vacant and uninhabitable), project size (minimum 3 units) and unit type and size.		
The proposed project demonstrates short-term and long-term financial viability.		
The proponent has submitted all signed submission forms from Section 3.0 of this RFP.		
The proponent acknowledges and demonstrates a willingness to enter into a Contribution Agreement with NRH and all other agreements required under this program, as set out in Section 4.0 of this RFP.		



RFP-ND-09-01

Form 3

Select Submission Date

- Early Start - Friday, July 10, 2009 at 12:00 noon
Later Start - Friday, July 24, 2009 at 12:00 noon

NIAGARA REGIONAL HOUSING
Canada-Ontario Affordable Housing Program

FORM OF OFFER

Please Print or Type

Form with fields for PROPONENT INFORMATION, Legal Business Name, Contact Name and Title, Mailing Address, Phone No, Fax No, E-Mail Address, and Address of Proposed Project.

DECLARATION

I/We have carefully examined the Request for Proposal documents and have a clear and comprehensive knowledge of the requirements under the Request for Proposal (RFP). By this submission, I/we agree and consent to the terms, conditions and provisions of the RFP. I/we acknowledge that no directions, advice or explanation have been provided by any representatives of Niagara Regional Housing (NRH).

I/We hereby confirm that the proposal submission contains all information necessary to address the requirements and eligibility of this RFP, and that all completed and signed submission forms have been provided and submitted by the closing date and time for your RFP.

I/We hereby confirm that this submission is in full compliance with all tax statutes administered by the Ministry of Finance for Ontario and that, in particular, all returns required to be filed under all Provincial tax statutes have been paid or satisfactory arrangements for their payment have been made and maintained.

I/We hereby confirm that there is not nor was there any actual or perceived unfair advantage or conflict of interest in our submission or our performing of or observing the contractual obligations of the proponent set out in this RFP.

[or if applicable, strike out the above and include the following:]

The following is a list of situations, each of which may be a conflict of interest or any instance of unfair advantage, or appears as potentially a conflict of interest or unfair advantage in our company's submission or the contractual obligations of the proponent as set out in the RFP.

By our proposal submission, I/we have/have no [strike out the inapplicable portion] knowledge of or ability to avail ourselves of confidential information of the Crown, Municipality(ies), Niagara Region or NRH, (other than confidential information which may have been disclosed by the Province, the Municipality(ies), Niagara Region or NRH to the proponents in the normal course of the RFP) and the confidential information disclosed was relevant to the submission requirements of this RFP, its pricing or the RFP evaluation process.

“Confidential Information”, for the purpose of this form, refers to confidential information of the Crown, Municipality(ies), Niagara Region or NRH (other than confidential information which is disclosed to proponents in the normal course of the RFP) where the disclosure of such confidential information could result in prejudice to the Crown, Municipality(ies), Niagara Region or NRH or an unfair advantage to the proponent.

The following people participated in the preparation of this proposal:

Name	Address	Telephone

I/We hereby consent, pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*, to the disclosure, on a confidential basis, of this proposal by NRH to consultants retained for the purpose of evaluating or participating in the evaluation of this proposal.

I/We understand that in the event my/our proposal is selected under this RFP, in whole or in part, I/we agree to finalize and execute the Provincial Contribution Agreement in accordance with this RFP.

I/We understand that in the event that my/our submission is selected under this RFP, in whole or in part, I/we agree to provide proof of the insurance coverage required by the Provincial Contribution Agreement in the form of a valid certificate of insurance and that Ministry of Municipal Affairs and Housing will require this proof prior to executing the Agreement.

I/We, hereby make the following requests and contributions:	
	Per Unit
1. Request for Affordable Housing Program funding	\$ _____
2. Proponent Equity provided (see Statement of Equity)	\$ _____
3. Request for Municipal Funds (see Project Funding Work sheet)	\$ _____
4. Other Contribution(s): Specify: _____	\$ _____
TOTAL	\$ _____

SIGNED SEALED AND DELIVERED in the presence of:

Authorized Signing Authority: (Party or Parties who will represent the proponent in all contractual matters requiring a signature and have the authority to bind the proponent)	
Print Name:	Print Name:
Position or Title:	Position or Title:
Signature:	Signature:
Date:	Date:
Name of Witness:	Name of Witness:
Signature of Witness:	Signature of Witness:

BUSINESS PLAN

Form 4

Please provide your own typed Business Plan which includes the information below, limiting it to 15 pages or less, in addition to the mandatory forms and/or attachments.

PROPONENT INFORMATION

Provide details on proponent type, i.e. private sector developer, non-profit corporation etc: proof of legal incorporation in Ontario or Canada – attach copy; reference to any past projects, particularly those which demonstrate the ability of the proponent to develop and manage affordable rental housing; evidence of a successful track record, including contacts and references; demonstrate an awareness and familiarity to social and neighbourhood factors.

DEVELOPMENT/MANAGEMENT TEAM / BOARD OF DIRECTORS INFORMATION

Project team information including architect, engineer, consultants, contractors, suppliers and any partnership arrangements. Details should include a list of professional contacts available to the proponent including providers of financial, legal, planning and architectural services. For Non Profits include a list of Board of Directors and a copy of minutes approving application under the RFP.

PARTNERSHIP INFORMATION

List all partner organizations and their involvement, include written confirmation of other program funding from partners, if applicable. Provide evidence of a successful track record and financial competence for any/all partners involved.

DESIGN CONCEPT & DRAWINGS

Note the rationale for any design considerations in relation to tenant mandate, services, etc.; provide details on implementation plan/development schedule showing dates for achieving key milestones including any planning approvals, building permits, construction schedule and occupancy; clearly identify any Smarter Niagara design principles and energy and water efficiency measures incorporated and/or areas that incorporate the local program design criteria identified in Section 1.0 – Program Requirements.

MANDATE / TARGET MARKET

Identify the rationale for target/mandate of project; evidence that the proposal promotes affordable rental housing opportunities in geographic areas of the Niagara region where the existing supply of rental housing is limited and there is a demonstrated need.

FINANCIAL OVERVIEW

In addition to completing the Development Budget (Form 7) and Proposed Operating Budget (Form 6), the Business Plan should demonstrate the proponent's ability to financially sustain the proposed project for both the short and long-term and its ability to maintain monthly rental rates at targeted levels; provide details on any financial commitments, if available; explanation/evidence of sufficient funding for total project costs, including equity contribution as indicated on Forms 7 & 8; identify need for support services where proposed project includes persons with mental illness and/or persons with dual diagnosis; clear delineation of requested financial and/or other assistance including confirmation funding will not be used for repayment of an existing debt; include copy of most recent audited financial statements.

MARKETING PLAN (including information on tenant rent-up plan)

Provide description of the activities involved in marketing the proposed project.
Provide description of all community consultation regarding the proposed project.

PROPOSAL SUMMARY

Form 5

Proponent Information	
Official Name of Proponent:	
Proponent Address:	
Contact Phone Number:	
Contact Email Address:	
Proponent Type: (please circle)	
Private Sector	Municipal Non-profit
Private Non-profit, charitable corporation	Co-operative
	Other:
	Partnership(Specify):
Summary of Proposed Project	
Municipal Location:	
Address of the proposed project:	
Proposed Construction Start Date:	Proposed Construction Completion Date:
<u>Number of "Affordable" Units Created:</u> <i>(min. 3 units required)</i>	New Construction _____ Renovation/Rehabilitation _____ Conversion of Non-Rental _____ Other (specify) _____
<u>Number of Market Units (optional):</u>	New Construction _____ Renovation/Rehabilitation _____ Conversion of Non-Rental _____ Other (specify) _____
TOTAL # OF UNITS TO BE BUILT: _____	
<u>Type of Construction:</u> (please check)	Apartment _____ Town/Row _____ Condo _____ Other _____
<u>Client Type or Project Mandate:</u> (Please indicate the # of units that fall into one or more of the following categories)	
Family _____ Senior _____ Supportive Housing _____ Integrated (16-54 years old singles or couples with no dependants) _____ Other (describe): _____	
<u>Number of Units to incorporate Universal Design Features:</u> _____	
<u>Energy Efficiencies measures incorporated into Project Design:</u> yes _____ no _____	
The above information corresponds with Information on Form 9: City Planner _____ Proponent _____	

PROPOSAL SUMMARY (continued)

Form 5

Unit Size and Rents					
Unit Type	Proposed # of Units	Unit Sizes (sq.ft) (m2)		Max. CMHC Rent @ 80% (\$) (by Municipality)*	Proposed First Year Rents (\$)*
1 bedroom					
2 bedroom					
3 bedroom					
3+ bedroom					
TOTAL		N/A		N/A	N/A

* Actual Rents charged will be based on the most current CMHC Affordable rates.

By completing the above table, the proponent acknowledges the criteria for tenant selection and maximum household income limits detailed in this RFP and agrees to comply with this criteria in the selection of tenants for the project at initial tenancy and over the entire duration of the defined affordability period.

Services to be provided and included in above rent amounts:					
Heat <input type="checkbox"/>	Hydro <input type="checkbox"/>	Water <input type="checkbox"/>	Parking <input type="checkbox"/>	Cable TV <input type="checkbox"/>	Other <input type="checkbox"/>

Project Size:	
(a) Current site zoning/site size (sq ft):	(d) Proposed gross floor area (common):
(b) Permitted gross floor area (total):	(e) Proposed gross floor area (total):
(c) Proposed gross floor area (residential)	(f) Total Construction Costs: \$
	(g) Price per sq ft [use (f) divided by (e)]: \$

Planning and permit requirements satisfied as of date of proposal submission: (please check)	
N/A	Completed
<input type="checkbox"/>	<input type="checkbox"/> Official Plan Amendment
<input type="checkbox"/>	<input type="checkbox"/> Rezoning/Zoning Bylaw Amendment
<input type="checkbox"/>	<input type="checkbox"/> Subdivision Approval/Consent for Subdivision
<input type="checkbox"/>	<input type="checkbox"/> Committee of Adjustment Variances/Consents
<input type="checkbox"/>	<input type="checkbox"/> Site Plan Approval
<input type="checkbox"/>	<input type="checkbox"/> Building Permit
<input type="checkbox"/>	<input type="checkbox"/> Environmental Assessment
<input type="checkbox"/>	<input type="checkbox"/> Are there any premiums attached to site development (i.e. sound attenuation or soil conditions, etc)

**PROPOSED ANNUAL OPERATING BUDGET
YEARS 1 TO 5**

Form 6

REVENUE

RENTAL REVENUE

Market Units Check if **not** applicable

Bdrm Type	# of Units	Year 1			Year 2			Year 3			Year 4			Year 5		
		Monthly Rent	x 12 Months	Total	Monthly Rent	x 12 Months	Total	Monthly Rent	x 12 Months	Total	Monthly Rent	x 12 Months	Total	Monthly Rent	x 12 Months	Total
1-bdrm		-	12	\$ -	-	12	\$ -	-	12	\$ -	-	12	\$ -	-	12	\$ -
2-bdrm			12	\$ -		12	\$ -		12	\$ -		12	\$ -		12	\$ -
3+bdrm			12	\$ -		12	\$ -		12	\$ -		12	\$ -		12	\$ -
Total Market				\$ -			\$ -			\$ -			\$ -			\$ -

Affordable Units

Bdrm Type	# of Units	Year 1			Year 2			Year 3			Year 4			Year 5		
		Monthly Rent	x 12 Months	Total	Monthly Rent	x 12 Months	Total	Monthly Rent	x 12 Months	Total	Monthly Rent	x 12 Months	Total	Monthly Rent	x 12 Months	Total
1-bdrm		-	12	\$ -	-	12	\$ -	-	12	\$ -	-	12	\$ -	-	12	\$ -
2-bdrm			12	\$ -		12	\$ -		12	\$ -		12	\$ -		12	\$ -
3+bdrm			12	\$ -		12	\$ -		12	\$ -		12	\$ -		12	\$ -
Total Affordable				\$ -			\$ -			\$ -			\$ -			\$ -

TOTAL RENTAL REVENUE (Market+Affordable+RGI)				\$ -			\$ -			\$ -			\$ -			\$ -
---	--	--	--	------	--	--	------	--	--	------	--	--	------	--	--	------

Other	\$	\$	\$	\$	\$
Total	\$ -	\$ -	\$ -	\$ -	\$ -
Utilities	Year 1	Year 2	Year 3	Year 4	Year 5
Hydro - Res. Units (if applicable)	\$	\$	\$	\$	\$
Heating- Common Areas	\$	\$	\$	\$	\$
Heating - Res. Units (if applicable)	\$	\$	\$	\$	\$
Water - Common Areas	\$	\$	\$	\$	\$
Water - Res. Units (if applicable)	\$	\$	\$	\$	\$
Total	\$ -	\$ -	\$ -	\$ -	\$ -
Administration					
Salaries, Wages and Benefits	\$	\$	\$	\$	\$
Management Fees	\$	\$	\$	\$	\$
Materials and Services (Office)	\$	\$	\$	\$	\$
Other	\$	\$	\$	\$	\$
Total	\$ -	\$ -	\$ -	\$ -	\$ -
Other					
Insurance	\$	\$	\$	\$	\$
Bad Debts	\$	\$	\$	\$	\$
Total	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Municipal Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
Mortgage Payments					
Interest	\$	\$	\$	\$	\$
Principal Repaid	\$	\$	\$	\$	\$
Total	\$ -	\$ -	\$ -	\$ -	\$ -

Transfer to Capital Reserve Fund

Contingency
(10%)

TOTAL SHELTER EXPENSES

-

\$
-

\$
-

\$
-

\$
-

\$
-

\$
-

\$
-

\$
-

\$
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\$
-

DEVELOPMENT BUDGET

Form 7

PROPOSED DEVELOPMENT/CONSTRUCTION COSTS	Dollar Amount (\$)
Land Acquisition and Servicing:	
Purchase price	
Legal fees	
Title fees and land transfer tax	
Servicing costs	
Development charges	
Surveys and Phase 1 ESA	
Soil tests / geotechnical investigation	
Interest on land prior to construction	
Site upgrade (site preparation and/or remediation)	
Other (Specify)	
Total Land and Servicing	
Fees and Charges:	
Taxes during construction	
Insurance during construction	
Architect's fees	
Legal fees other than land	
Development/administration expenses	
Site plan, grading plan, park dedication	
Lender's legal fees	
Interest during construction	
Building permit fees	
Other (Audit & GST Appraisal)	
Other (Specify)	
Total Fees and Charges	
Building:	
Construction	
Kitchen appliances	
Furnishings and equipment	
Laundry equipment (if applicable)	
Landscaping, paving/hard surfaces, outdoor amenities	
Total Building	
GST	
Contingency	
TOTAL COSTS	

PROJECT FUNDING WORKSHEET

Form 8

	Project Total	Per Unit Total
1. Affordable Housing Program Contribution: (Federal and Provincial Funding)	\$	
2. Municipal Contributions:		
a) Development Charge Waivers:	\$	
b) Grants:	\$	
c) Community Improvement Plan (CIP) funding:	\$	
d) Low Interest Loans (value below market):		
e) Land (value of lease below market, or assessed land value if title is transferred):	\$	
f) Other Municipal funding: (Specify Sources):	\$	
3. Total Municipal funding: (a+b+c+d+e+f)	\$	
4. Contributions from other sources: Specify (e.g. charities, non-profit equity) (indicate if estimates)	\$	
5. Equity:	\$	
6. Mortgage:	\$	
7. Total Capital Costs of Project:	\$	

Local Planning Department Proposal Review Form

Form 9

Proponent Information
Official Name of Proponent: _____
Proponent Address: _____
Contact Phone Number: _____
Proposed Project Location
Municipal Address known as: _____ located in _____
Legal Address known as: _____

The following information should be filled in and signed by the municipal planning department contact person for the municipality in which the intended project will be built. Please note that local municipal staff will be sharing proponent information with NRH for the purposes of evaluating the proposal submission.

Name of Municipality:	_____
Planning Department Contact Name:	_____
Contact Number of Planner Reviewing Proposal:	_____
Email Address of Planner:	_____
Building Department Contact Name:	_____
Email Address of Building Staff:	_____

Please indicate by circling, if the following are required, approved or in process for this project.

	<u>Required</u>		<u>Approved</u>		<u>In Process</u>	
	YES	NO	YES	NO	YES	NO
Official Plan Amendment	YES	NO	YES	NO	YES	NO
Rezoning/Zoning Bylaw Amendment	YES	NO	YES	NO	YES	NO
Subdivision Approval/Consent for Subdivision	YES	NO	YES	NO	YES	NO
Committee of Adjustment Variances/Consents	YES	NO	YES	NO	YES	NO
Site Plan Approval	YES	NO	YES	NO	YES	NO
Building Permit	YES	NO	YES	NO	YES	NO
Eligible for construction within 3 months?	YES	NO	YES	NO	YES	NO
Eligible for construction within 16 months?	YES	NO	YES	NO	YES	NO
Information missing at the time of your review?	YES	NO	YES	NO	YES	NO

Comments: _____

By signing below you agree the above information corresponds with information on Form 5:

 Municipal Planning Staff (*Print Name*)

 Municipal Planning Staff Signature

 Municipal Building Staff (*Print Name*)

 Municipal Building Staff Signature

 Proponent (*Print Name*)

 Proponent Signature

Date _____

Reference Form

Form 10

Each proponent shall provide a minimum of 3 references from clients for Canadian projects for whom they have provided similar services within the past five years.

1) Company: _____
Address: _____

Contact Name: _____
Title: _____
Telephone Number: _____
Date work undertaken: _____
Nature of the Assignment: _____

Canadian Project? Yes or No (Please check appropriate box)

2) Company: _____
Address: _____

Contact Name: _____
Title: _____
Telephone Number: _____
Date work undertaken: _____
Nature of the Assignment: _____

Canadian Project? Yes or No (Please check appropriate box)

Reference Form (continued)

Form 10

3) Company: _____
Address: _____

Contact Name: _____
Title: _____
Telephone Number: _____
Date work undertaken: _____
Nature of the Assignment: _____

Canadian Project? Yes or No (Please check appropriate box)

Tax Compliance Declaration Form

Form 11

The Ontario Government expects all proponents to pay their Provincial taxes on a timely basis. In this regard, proponents are advised that any contract with the Ontario Government will require a declaration from the successful proponents that his/her company's Provincial taxes are in good standing.

In order for a company to be considered for a contract award, the Proponent must submit the following statement of the company's tax compliance status.

I/WE hereby certify that _____ at the time of submitting this proposal,

(Legal name of proponent)

is in full compliance with all tax statues administered by the Ministry of Finance of Ontario and that, in particular, all returns required to be filed under all Provincial tax statues have been filed and all taxes due and payable under those statues have been paid or satisfactory arrangements for their payment have been made and maintained.

Date at _____ this _____ day of _____, 200__.

(Signature of proponent or an authorized signing officer who binds the proponent)

(Print Name)

(Title)

(Phone Number)

(Fax Number)

1. In this Article:
 - (a) “Construction” includes all work in or about:
 - (i) constructing, altering, decorating, repairing, demolishing, erecting or remodelling the whole or any part of a building or structure;
 - (ii) laying pipe and conduit above or below ground level;
 - (iii) excavating, tunnelling, fencing, grading, paving, land clearing and bridging;
 - (iv) building a highway, as defined in section 1 of the *Highway Traffic Act*;
 - (v) carrying out other activities prescribed by the Minister of Labour under the *Fairness is a Two-Way Street Act (Construction Labour Mobility), 1999* for inclusion in the definition of Construction; and
 - (vi) providing consulting services, including architectural or engineering services, with respect to the matters set out in clauses (i) to (v).
 - (b) “Contractor” means a person that enters into a contract for Construction and includes any sub-contractor;
 - (c) “Controlled” has the same meaning as in subsection 1 (5) of the *Business Corporations Act*;
 - (d) “Designated Jurisdiction” means a Province or territory of Canada prescribed by the Lieutenant Governor in Council as designated jurisdiction under the *Fairness is a Two-Way Street Act (Construction Labour Mobility), 1999*.
 - (e) “Person who is resident in a Designated Jurisdiction” means:
 - (i) in the case of an individual or sole proprietor, a person who is ordinarily resident in that jurisdiction;
 - (ii) in the case of a corporation,
 - (A) a person whose head office or registered office is located in that jurisdiction; or
 - (B) a person controlled directly or indirectly by a person described in sub-clause (A);
 - (iii) in the case of a partnership, a partnership that includes at least one partner who is resident in that jurisdiction under clause (i) or (ii).
2. All ministries, and any agencies/boards or commissions prescribed by the Minister of Labour under the *Fairness is a Two-Way Street Act (Construction Labour Mobility), 1999*, shall not award a Construction contract to a Contractor who is a person resident in a Designated Jurisdiction. Such a person is not eligible and will be disqualified from this RFP.

Fairness is a Two-Way Street (continued)

Form 12

- 3. All Proponents are required to provide the following information in respect of themselves and any sub-contractors:
 - (a) in the case of an individual or sole proprietor, whether he/she is ordinarily resident within a Designated Jurisdiction;
 - (b) in the case of a corporation, whether the corporations' head office or registered office(s) is/are in a Designated Jurisdiction or whether any person who controls the corporation, either directly or indirectly, is a person who is ordinarily resident in a Designated Jurisdiction;
 - (c) in the case of a partnership, whether the partnership includes one partner who is resident in a Designated Jurisdiction under clause (a) or (b) above, and
 - (d) whether any exemptions prescribed under the Act are applicable.
- 4. In any Construction contract awarded under this RFP, if any, the Contractor will be required to:
 - (a) represent and warrant that neither the Contractor nor any sub-contractors are persons who are resident in a Designated Jurisdiction;
 - (b) acknowledge that any sub-contracts not identified in the bid following the award of the contract will be subject o the approval of the Ministry of Municipal Affairs and Housing;
 - (c) acknowledges that any material misrepresentation or breach of the representation and warranty in clause (a) will be grounds for termination.
- 5. This provincial requirement will be considered in the evaluation of bids and proposals received under this RFP.

DECLARATION BY PROPONENT

Italicized terms have the same meanings in this Article of the RFP document.

- 1. The Contractor represents and warrants that neither the Contractor nor any sub-contractor is a *person who is resident in a Designated Jurisdiction*.
- 2. Any sub-contract proposed by the Contractor after the date of this Contract shall be subject to the prior written approval of the Ministry of Municipal Affairs and Housing.
- 3. In the event of any material misrepresentation or breach of the representation and warranty in paragraph 1 of this Declaration, it is acknowledged and agreed that the Ministry of Municipal Affairs and Housing may, without liability therefore, terminate this Contract upon written notice to the Contractor.

I/We have authority to bind the proponent.

I/We have authority to bind the proponent.

(Print Name and Title, if appropriate)

(Print Name and Title, if appropriate)

Signature of Proponent (s)

Signature of Proponent (s)

STATEMENT OF EQUITY CONTRIBUTIONS

Form 13

I/We hereby declare that I/we will supply the Equity Affidavits for the following amounts if I/We are a successful project.

Type or Form of Equity <i>(Include any details of any specified designation/application)</i>	Date to be advanced	Amount <i>(If other than cash, show how this was calculated)</i>

Continue on reverse side of page if necessary.

I/We have authority to bind the proponent.

I/We have authority to bind the proponent.

(Print Name and Title, if appropriate)

(Print Name and Title, if appropriate)

Signature of Proponent (s)

Signature of Proponent (s)

STATEMENT OF INSURANCE PROVISIONS

Form 14

Prior to commencement of any contract/agreement arising out of this Request for Proposal (RFP), I/we hereby agree to provide Niagara Regional Housing (NRH) and any other party NRH reasonably requires with a valid Certificate of Insurance and any renewal/replacement as may be necessary, confirming the insurance coverage requirements outlined in this RFP document and stating any pertinent exclusions as applicable, contained by the policy (ies).

I/we further agree that these insurance requirements will be included in any Agreement made with any contractor requiring the contractor to comply with these insurance requirements set out in the contract/agreement by obtaining similar types of insurance and providing the contractor with valid Certificates of Insurance.

I/we further agree to provide of the following insurance in a form satisfactory to and as requested by NRH:

- a) construction risk insurance of at least \$5 million;
- b) commercial general liability insurance of at least \$5 million;
- c) all risk property insurance for the project under development for its full replacement cost; and,
- d) such other insurance as NRH or MMAH may reasonably require.

I/we further acknowledge that the Province, NRH and CMHC may request indemnification in their respective standard forms.

I/We have authority to bind the proponent.

I/We have authority to bind the proponent.

(Print Name and Title, if appropriate)

(Print Name and Title, if appropriate)

Signature of Proponent (s)

Signature of Proponent (s)

**PROOF OF OWNERSHIP, OPTION TO PURCHASE OR
LEASEHOLD INTEREST IN LAND**

I/We hereby declare that I/we own the land designated as the site for my/our proposed project known municipally as

_____ and described legally as _____.

OR

I/We hereby declare that I/we hold a leasehold interest in the land designated as the site for my/our proposed project known municipally as

_____ and described legally as _____ as evidenced by the attached certified copy of the Lease.

OR

I/We hereby declare that I/we hold or are negotiating a purchase or long-term lease for the land designated as the site for my/our proposed project known municipally as

_____ and described legally as _____ and will provide a certified copy of said Option or an Agreement of Purchase & Sale as required by the Condition Letter of Commitment with the Ministry of Municipal Affairs and Housing.

I/We have authority to bind the proponent.

I/We have authority to bind the proponent.

(Print Name and Title, if appropriate)

(Print Name and Title, if appropriate)

Signature of Proponent(s)

Signature of Proponent(s)

PROPOSAL SUBMISSION LABEL

Form 16

TO ENSURE THAT THE CORRECT INFORMATION IS CLEARLY AND ACCURATELY MARKED, YOU MAY AFFIX THIS ADDRESS LABEL TO THE ENVELOPE CONTAINING YOUR SUBMISSION.

..... **CUT HERE**

COMPANY NAME: _____

ADDRESS: _____

REQUEST FOR PROPOSAL NO.:

**RFP-ND-09-01
CANADA-ONTARIO AFFORDABLE HOUSING PROGRAM**

CLOSING DATES:

- Early Start - Friday, July 10, 2009 at 12:00 noon**
- Later Start - Friday, July 24, 2009 at 12:00 noon**

**TO: Lora Beckwith
General Manager
Niagara Regional Housing
Regional Administration Building
Campbell East
2201 St. David's Road
P.O. Box 344
Thorold, ON L2V 3Z3**

..... **CUT HERE**

NOTE:

SHOULD YOU DECIDE TO USE YOUR OWN RETURN ENVELOPE IN LIEU OF THE LABEL PROVIDED ABOVE, THE FRONT OF YOUR ENVELOPE MUST INDICATE ALL OF THE INFORMATION SHOWN ON THE ABOVE LABEL.

NIAGARA REGIONAL HOUSING WILL NOT BE HELD RESPONSIBLE FOR DOCUMENTS SUBMITTED IN ENVELOPES THAT ARE NOT LABELLED IN ACCORDANCE WITH THE ABOVE INSTRUCTIONS.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT NIAGARA REGIONAL HOUSING STAFF REFERRED TO IN SECTION 5.1.