



## **City of Rochester and Monroe County**

### **Notice of Funding Availability (NOFA) and Request for Proposals (RFP)**

*for the*

### **Acquisition, Development, and Operations of Low- Barrier Non-Congregate Shelter – HOME American Rescue Plan (HOME-ARP)**

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### **Attachments & Reference Material Links**

Please note: All links below connect to reference documents through HUD.gov and HUDexchange.

Attachment A – Proposal Cover Page (template)

Attachments B.1 & B.2 – HOME-ARP Funding Allocation Plans

- B.1: City of Rochester HOME-ARP Funding Allocation Plan ([link](#))
- B.2: Monroe County HOME-ARP Funding Allocation Plan ([link](#))

Attachments C.1 & C.2 – U.S. Housing and Urban Development (HUD) HOME-ARP Reference Materials

- C.1: HOME-ARP NCS Fact Sheet ([link](#))
- C.2: HOME-ARP Referral Methods and Coordinated Entry Resources ([link](#))

## **INTRODUCTION**

The City of Rochester and Monroe County are seeking proposals from qualified non-profit entities to provide Non-Congregate Shelter (NCS) to individuals and households experiencing homelessness or other eligible Qualified Populations (QP) described herein and as defined in the *CPD Notice: Requirements for the Use of Funds in the HOME-American Rescue Plan Program* (see attachments). The funded activities aim to reduce the frequency, severity, and duration of homelessness in Rochester and Monroe County and provide additional safe *temporary* living environments for individuals, couples, and families experiencing homelessness and other QPs who want an alternative to available congregate shelter options.

### **Part 1: BACKGROUND INFORMATION**

The American Rescue Plan Act (ARPA) provided the City of Rochester and Monroe County \$8.98 million and \$4.3 million in HOME-American Rescue Plan (HOME-ARP) funding, respectively. This funding is a one-time allocation and differs from regular HOME allocations due to the populations targeted and the variety of eligible projects and activities. In addition, projects developed with HOME-ARP funding must serve the Qualified Populations (QP), as defined by the US Department of Housing and Urban Development (HUD) (links and definitions in attachments).

The City, County, and Partners Ending Homelessness partnered to gather information, perform outreach, and plan to use this funding. Because of that outreach and analysis, the City and County each drafted and submitted HOME-ARP Funding Allocation Plans (Plan or Plans) to HUD (see attachments). The Plans outline the priorities and intended uses of the HOME-ARP funds and describe the outreach and consultation process in more detail. The consultation process and development of the Plans concluded and identified the Acquisition and Development of Non-Congregate Shelter as a high priority for this community.

This Request for Proposal (RFP) solicits proposals from experienced and established agencies and organizations. Only responders and project teams with demonstrable knowledge and experience in developing and operating emergency shelters, including non-congregate shelters or transitional housing, and providing supportive services should apply. Eligible applicants may include private, not-for-profit, and public entities. Additional consideration will be given to Applicants that will provide or otherwise arrange for low or no-cost, high-speed broadband internet service to all residents. Collaborative submittals are encouraged.

## Part 2: TIMELINE

**RFP Timeline:** Respondents must adhere to the RFP and NOFA timeline below:

Activity	Time	Date <sup>1</sup>
RFP & NOFA Issued	5:00 PM	Friday, July 7, 2023
Pre-Proposal Information Meeting (held in-person and remotely simultaneously): <ul style="list-style-type: none"><li>Virtual: follow <a href="#">Microsoft Teams</a> link</li><li>In-Person: City Place, 50 W. Main Street, Rochester, NY</li></ul>	3:00-4:30 PM	Tuesday, July 18, 2023
Responses to Pre-Proposal Meeting Questions Posted Online	5:00 PM	Monday, July 24, 2023
Proposals Due	5:00 PM	Friday, September 1, 2023
Review Committee Meetings	TBD	Week of September 11-15, 2023
Applicant Follow-Up Meetings	TBD	Week of September 18-22, 2023
Support Letters Distributed	TBD	TBD – Dependent on follow-up meetings, project type, and applicant timelines.

**Project Timeline:** Projects do not need to be shovel-ready, but we expect applicants to have a detailed development timeline, a clear understanding of what activities they still need to undertake, and be ready to start construction within a reasonable period. A more thorough due diligence period will follow for any projects chosen. Due to the variety of project types and readiness, the City and County anticipate issuing support letters with unique timelines and levels of support dependent on the application and subsequent information meetings.

*Example: An applicant submits a rehab-only funding request. The project team owns an under-utilized single-room occupancy rental project and has already completed a capital needs assessment, defined a scope, established that site-plan review is not required, and has construction drawings complete. This support letter may indicate that the applicant must enter into an agreement within six months and start construction within an additional six months.*

After support letters are distributed, the City and County expect applicants to complete the remaining pre-development activities within a reasonable amount of time, as defined in the support letter. These activities may include securing site control and local/State approvals, obtaining commitments from other funding sources, developing a project scope and construction drawings, finalizing the development

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<sup>1</sup> The dates shown above may be subject to change per the City of Rochester's and Monroe County's discretion and upon written notification as set forth herein.

team, and other pre-closing activities. We encourage applicants to contact the City and County with any questions or concerns before submitting a proposal.

In addition, support letters will clearly define what each applicant needs to accomplish before entering into an agreement for any funding. After entering into a contract for funding, per funding requirements, Acquisition only projects must start providing bed nights within six months, and Rehabilitation and Construction projects within 12 months.

Please send all materials electronically and directly to John Oster at [john.oster@cityofrochester.gov](mailto:john.oster@cityofrochester.gov) and John Lightfoot at [JohnFLightfootSr@monroecounty.gov](mailto:JohnFLightfootSr@monroecounty.gov).

### **Part 3: NCS PROJECT AND FUNDING INFORMATION**

The City and County seek proposals from qualified applicants for the acquisition, rehabilitation, and new construction of NCS projects. Project teams may propose using City and County HOME-ARP funding allocations to support eligible costs of their developments.

NCS According to HOME-ARP: HOME-ARP regulation largely follows Emergency Solutions Grants (ESG) regulation regarding emergency shelter standards, with some modifications related to the NCS. A non-exclusive list includes:

- Requirement of in-unit (non-communal) bath facilities – toilets, showers, sinks.
- Shared spaces like communal kitchens and living areas are OK, but bedrooms and bathrooms must be individual.
- Households can share the same space – including families, couples, and single parents with children.
- If the shelter is specific for families, one bathroom may serve more than one bedroom, but it must be only accessible by that family.

Eligible Activities and Costs: The City and County are ultimately trying to add Non-Congregate Shelter (NCS) beds to the community, and respondents can accomplish that in several ways. Applicants may propose one of several eligible activities, and proposals should support the requested funding amount from the City/County for eligible activities and costs. Respondents may use HOME-ARP funding for the following activities:

1. Acquisition: An acquisition-only project means no rehabilitation or construction is required to get a Certificate of Occupancy other than *de minimis* work. In other words, the structure is currently in condition to shelter QPs. **Example** – Buying a hotel or Single Room Occupancy (SRO) development that is in good condition, but the owner or management needs to replace mattresses or rekey locks before operating as NCS.
2. Rehabilitation: (with or without Acquisition) Includes converting or redeveloping existing structures, hotels, nursing homes, schools, and current *congregate* shelters to NCS. Applicants seeking rehab funding must demonstrate site control at the time of submittal (current owner, purchase option, etc.). The scope must review the remaining useful life of the systems. Applicants may include replacement reserves but must complete a capital needs assessment. **Example** – A non-profit operating an under-utilized SRO or congregate shelter wants to convert to NCS or

intends to serve families and must convert to NCS before doing so. Scope of work includes installation of walls, bathrooms, shared space, lead and asbestos remediation, and replacement of all major mechanical systems.

3. New Construction: (with or without Acquisition) Includes the new construction of non-congregate shelters or the addition of non-congregate shelter beds and structures. If development teams are unsure if the scope of work is Rehab or New Construction, refer to local or State codes to determine classification.

Eligible Costs: Project teams may use HOME-ARP funding to pay for the following NCS-related eligible costs:

- Acquisition (land/structures)
- Demolition
- Development hard costs
- Site improvements
- Soft costs
- Replacement reserve (must complete Capital Needs Assessment)

*\*Note – If the remaining useful life of a system is only a few years, replacement should be included in the scope of the HOME-ARP project.*

Ineligible Costs:

- Operating costs of NCS
- Rehab and construction costs to turn HOME-ARP NCS units into permanent supportive housing (PSH)

*\*Owners may transition NCS to PSH after the minimum use period. However, projects cannot use HOME-ARP to fund the conversion. For project teams submitting proposals that intend to convert to PSH or affordable housing units after the minimum use period, please consider what that means during the initial project design and development. How does this decision impact design standards, and what form of site control or ownership is most appropriate?*

Qualifying (Eligible) Populations: Projects must serve all of the QPs, or be able to establish through data and analysis that there is a higher need for one of the populations (if applicants choose to serve one QP, please reach out to the City or County contact at the end of this document to discuss what that entails). HOME-ARP funds must benefit individuals or families from the following qualifying populations:

- a. **Homeless**, as defined in 24 CFR 91.5 Homeless (a), (b), or (c);
- b. **At risk of Homelessness**, as defined in 24 CFR 91.5 At risk of homelessness;
- c. **Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking**, as defined by HUD Notice CPD-21-10; or
- d. **Other Populations**, where providing supportive services or assistance under 212(a) of NAHA (42 USC 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. Includes households earning no greater than 50% AMI and exhibiting characteristics associated with instability and an increased risk of homelessness, such as high to severe rental housing cost burden (paying more than 30%-50% of gross household income toward housing costs).

Additionally, NCS occupants must:

- Not be charged occupancy fees or other charges to occupy a unit
- Meet the criteria for one of the four qualifying populations
- Not be subject to a length of stay cap/requirement

#### **Part 4: PROPOSAL COMPONENTS**

Respondents should submit proposals to John Oster **and** John Lightfoot electronically via a shared cloud service, email, or flash drive. The City and County must receive proposals by the date and time included in Part 2: Timeline. Please save and label all files, preferably in PDF format, with similar file naming conventions throughout the submittal. Each file name should clearly refer to one of the sections below, and sections can include multiple submittals/files. Only the Cover Page has a template.

##### **1. Letter of Intent & Cover Page**

Letter of Intent: Include a letter summarizing your organization's project and funding request.

Cover Page (template included): Please fill out the Cover Page template (included as Attachment A). Include all relevant lead agency/application information, current contact information, project type, funding request, and the proposed number of shelter units added.

##### **2. Section 1: Team Composition and Experience**

Project Team Experience: Please use Section 1 narrative to highlight the various members of your organization and development team that will play a role in the creation of the proposed NCS. Identify any key organizational partners and describe how you will collaborate with them to deliver the program and achieve results for the target population. List and describe all relevant experience your organization and partners (if applicable) have in developing, funding, constructing, or operating emergency shelters, providing services, coordinating supportive resources, and collecting and gathering data about the population you would be serving. Applicant must provide evidence of the understanding of the needs of the target population and the applicant's ability to provide such services. Highlight any experience with low-barrier, harm-reduction-informed NCS is preferred. Include a description of any emergency shelter(s) the project team developed or operates. Describe:

- your organization's experience providing services and supports that help reduce a person's length of time experiencing homelessness
- any eligibility criteria to access and the number/percentage of people in your shelter using these services and supports
- applicant's experience providing trauma-informed services
- experience using the Homeless Management Information System (HMIS) for data collection and reporting

Provide documentation if the relationships between development team members are formalized through a Memorandum of Understanding, joint venture, or other.

### 3. Section 2: Project Narrative & Description

At a minimum, this section should include:

Project Overview and Description: Respondents should use this section to describe the project, including information on the characteristics of the project, and provide a general description of how your successful implementation will address clients' needs.

Acquisition and/or Site Development: Describe the status of the project, site control, or how site control will be secured, and the type and scope of work to be undertaken. Includes new construction, conversion, rehabilitation, etc. Discuss design choices and if low-barrier and harm-reduction considerations were included.

Timeline: Provide a detailed development schedule for the NCS project, including any remaining pre-construction activities through intake and provision of services.

Operations & Staffing: What will daily operations look like? What policies or program decisions have been made to create a low-barrier, harm-reduction-informed NCS? Describe the staffing model for the proposed project. What supportive services does your proposal envision being offered, and when? What is the ratio of direct-service staff to participants?

Service Plan and On-Site Support Services: Including substance use disorder and mental health assessment and counseling, supportive services, housing search and placement, other case management and support as needed. If services and on-site support services include telehealth, employment search, job training, and other services delivered or augmented by online support, describe how the Applicant will provide or otherwise arrange for low or no-cost, high-speed broadband internet service to all residents. Describe how the applicant is part of the larger system of services and housing resources for people experiencing homelessness. What criteria must participants meet before receiving services? What factors would cause someone to be denied entry into the proposed project? And what steps would your organization take to find alternative shelter space? What project rules do participants have to follow? And what happens if a participant does not follow the rules?

### 4. Section 3: Project Development Budget and Operating Pro-forma

Development Budget: Submit a detailed budget, including construction and permanent sources and uses, terms, and indicate if funding is already secured or a timeline for when that will occur. Budgets must include lines for hard costs, soft costs, environmental investigation and remediation, professional services, finance costs and fees, and any contingency or reserves.

Operating Pro-Forma: Applicants must submit an operating budget, although the City and County do not expect all operating revenue to be secured or identified at this time. Identify the project operations, administration, and service expenses, and include any justification or rationale for those assumptions and estimates (e.g., other shelters managed by the applicant have similar costs, quote from insurance provider).

Other Considerations: Does the applicant have other committed sources of funding that will support the sustainability of this program? If so, please detail the source and the terms for when the funds will be available for the project. Describe what the



applicant is doing to attract, develop, and leverage a variety of financial, volunteer, and other in-kind resources to support the project.

#### **5. Section 4: Project Support**

Include support letters from neighborhood groups, evidence of other funding, a Memorandum of Understanding between team members or service providers, or other documentation demonstrating the need for and support of the proposed project.

#### **Part 5: PROPOSAL REVIEW PROCESS**

Awards will be determined through a competitive RFP review process. The City and County will convene a panel to review proposals. Written proposals should provide sufficient information to enable the review team to form a recommendation. The City and County reserve the right to reject any and all applications, including those that contain incomplete and/or incorrect information or otherwise not meeting the requirements set forth in this RFP or failing to demonstrate the ability to carry out the proposed activities effectively and timely.

Further, the City and County reserve the right to request individual applicants to submit additional information needed to make determinations of support. The City and County also reserve the right to engage any or all respondents in a telephone conversation and/or to invite any or all respondents to an interview to explore further the possibility of an engagement. The request for additional information does not indicate the outcome of the proposal review. Participation in a telephone conversation or interview would be voluntary and does not indicate the outcome of the proposal review.

The applicant will enter into written agreements with the City and/or the County upon selection and mutual agreement. Neither the City nor the County discriminates in any aspect of contracting based on age, creed, color, disability, gender or gender identification, marital status, national origin, race, or sexual orientation.

#### **Part 6: EVALUATION CRITERIA & SCORING**

City and County selection of proposals will adhere to local and Federal policies and regulations relative to HOME-ARP and will score proposals based on the following categories:

<b>Program Proposal Evaluation Criteria Elements</b>	<b>Maximum Point Value</b>
1. Responsiveness to the service categories selected by the City and County.	10
2. Anticipated impact of proposed NCS on advancing or expanding services and reducing the frequency or duration of homelessness.	15
3. Soundness and efficacy of the proposed NCS and incorporation of low-barrier and harm-reduction informed policies, design principles, and programming.	15
4. Demonstrated engagement in strategic and sound collaboration with community partner(s).	10

5. Feasibility of proposed NCS development project, including reasonable financial projections, site control, evidence of other funding or support, adequate fundraising capacity and infrastructure, or viable operating plan and projections.	25
6. Consultant's and team's demonstrated capacity for shelter development and management, including the provision of essential services, based on relevant experience and reference checks.	25
7. Additional points for shovel-ready projects (e.g., applicant has site control, funding commitments, permits, local approvals, etc.).	10
TOTAL	110

#### **Part 7: RIGHTS RESERVED BY THE CITY AND COUNTY**

***This RFP may be withdrawn by the City and/or County for any reason, and that the City and/or County shall have no liability for any costs incurred in preparing the proposal.***

***All materials submitted with the proposal shall become the property of the City and/or County and will be subject to the New York State Freedom of Information Law (FOIL). All proprietary information submitted with the proposal must be clearly identified and requested to remain confidential.***

***The selection of organizations is within the City and County's sole discretion. No reasons for rejection or acceptance of proposals are required to be given and decisions may be based on other qualifications and not solely on costs.***

#### **QUESTIONS AND INQUIRIES**

Anyone with questions or comments should contact the City or County using the information at the end of this document. Several links have been included in this document, all of which will provide prospective applicants with general information on the requirements of HOME-ARP funding, eligible activities, qualifying populations, and much more.

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Manager of Housing

City of Rochester

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##### **Chanh Quach**

Community Development Manager

Monroe County

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##### **John B. Oster**

Senior Community Housing Planner

City of Rochester

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##### **John F. Lightfoot Sr.**

Community Liaison

Monroe County

585.753.2024

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**END OF DOCUMENT**

## HOME-ARP Program Fact Sheet: Non-Congregate Shelter

### Overview:

HOME-ARP funds may be used to acquire and develop non-congregate shelter (HOME-ARP NCS) for individuals and families that meet one of the Qualifying Populations defined in the CPD Notice: *Requirements for the Use of Funds in the HOME-American Rescue Plan Program* (“the Notice”). NCS provides private units or rooms as temporary shelter to individuals and families and do not require occupants to sign a lease or occupancy agreement. This activity may include the construction of new structures or the acquisition and/or rehabilitation of existing structures (such as motels, nursing homes, or other facilities) to be for use as HOME-ARP NCS. The Notice establishes requirements applicable to HOME-ARP NCS.

### Eligible Activities and Costs:

- Eligible Activities: HOME-ARP funds may be used to acquire, rehabilitate, or construct NCS units to serve individuals and families Qualifying Populations.
- Eligible Costs: HOME-ARP funds may be used for:
  - Acquisition Costs: Costs to acquire improved or unimproved real property for use as or development of HOME-ARP NCS.
  - Demolition Costs: Costs to demolish existing structures for the purpose of developing HOME-ARP NCS.
  - Development Hard Costs: Costs to rehabilitate or construct HOME-ARP NCS units to meet the HOME-ARP minimum habitability standards. Costs to make improvements to the project site, including installation of utilities or utility connections, laundry facilities, community facilities, on-site management, or supportive service offices.
  - Related Soft Costs: Reasonable and necessary costs incurred by the PJ, subrecipient, or project owner associated with financing, acquisition, and development of HOME-ARP NCS projects.
  - Replacement Reserve: Costs to capitalize a replacement reserve to cover reasonable and necessary costs of replacing major systems and their components.
- Ineligible Costs: HOME-ARP funds may not be used to pay ongoing costs of operating HOME-ARP NCS or to convert NCS to housing.

### Admission and Occupancy:

- HOME-ARP NCS units may only be occupied by individuals or families that meet the criteria for one or more of the Qualifying Populations.
- Program participants may not be charged occupancy fees or other charges to occupy a HOME-ARP NCS unit unless the PJ determines such fees and charges are customary and reasonable and the charges comply with [24 CFR 578.77\(b\)](#).

- PJs are encouraged to incorporate HOME-ARP NCS units into the CE established by the CoC(s) for the area the NCS is funded to serve, if the CE complies with the requirements established in the HOME-ARP Notice.
- HOME-ARP supportive services may also be provided, if needed, to Qualifying Populations served by the NCS.

#### Project Requirements:

- Property and Habitability Standards: At project completion, HOME-ARP NCS units and common areas must meet all applicable State and local codes, ordinances, and requirements and HUD's Lead Safe Housing Rules at [24 CFR Part 35](#). Project classification as acquisition only, rehabilitation, or new construction is determined by the PJ's local code requirements based on specific work to be performed. Projects must meet HOME-ARP NCS ongoing property standards throughout the restricted use period.
- Restricted Use Period: HOME-ARP NCS projects must comply with HOME-ARP requirements during the restricted use period established in the HOME-ARP Notice.

New Construction:	15 years
Rehabilitation:	10 years
Acquisition Only:	10 years

- Use as NCS: The NCS may remain as HOME-ARP NCS for the restricted use period or may be used as NCS under the Emergency Shelter Grant (ESG) program.
- Conversion to Housing: ARP permits HOME-ARP NCS units to be converted into permanent housing under the Continuum of Care (CoC) program or permanent affordable housing during the restricted use period in accordance with requirements established in the Notice. No HOME-ARP funds may be used for conversion.
  - Minimum Use Period: All HOME-ARP NCS projects must be operated as NCS for a minimum period of time prior to conversion. The minimum use period prior to conversion varies based on the original HOME-ARP NCS eligible activity undertaken and the amount of funds invested in the project.
  - Permanent Affordable Housing: During the restricted use period, but only after the HOME-ARP NCS minimum use period, a PJ may provide written approval to convert the project from HOME-ARP NCS to permanent affordable housing (e.g., affordable multifamily rental housing, transitional housing) in accordance with the requirements prescribed in the PJ's written agreement with the HOME-ARP NCS owner.
  - CoC Permanent Housing: During the restricted use period, but only after the HOME-ARP NCS minimum use period has been met, a PJ may permit conversion of a HOME-ARP NCS project to permanent housing under [24 CFR 578.43](#) (acquisition) and/or [24 CFR 578.45](#) (rehabilitation) of the CoC program regulations. Conversions must comply with any conversion requirements established in the PJ's written agreement with the HOME-ARP NCS owner. If conversion is planned, the HOME-ARP NCS use restrictions must

remain in place until the project is approved for CoC funding and the required CoC restrictions are imposed on the property.

#### **PJ Management and Oversight:**

- Project Development Due Diligence: Before awarding HOME-ARP funds to a HOME-ARP NCS project, PJs must determine that acquisition and/or development is financially feasible. The PJ is responsible for maintaining continued operation of the NCS and must consider whether the HOME-ARP NCS project has secured or has a high likelihood of securing operating funding, because operating costs cannot be paid with HOME-ARP.

PJs must assess HOME-ARP NCS projects, including a review of information from the owner and/or developer that demonstrates the project's financial feasibility throughout the restricted use period.

Before committing funds, PJs should also determine whether the owner intends to continue operating the project as HOME-ARP NCS or emergency shelter NCS under ESG for the restricted use period or plans to convert the HOME-ARP NCS to housing after the minimum use period has been met. In such instances, the PJ should consider the physical design needs of an eventual conversion in its evaluation of the HOME-ARP NCS project.



# HOME-ARP Non-Congregate Shelter RFP/NOFO – Cover Page

**Lead/Respondent Organization Name**

Project Type (acquisition, rehab, and/or new-construction)	Number of NCS Units	Funding Request	Total Development Cost

## Site Address

Street	City	State, Zip
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Owner Contact

<i>Owner Org. Name</i>	<i>Phone</i>	<i>Email</i>
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Name

Org. Name	Director Name & Title
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## Name

Org. Name	Director Name & Title
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Address

Street	City	State, Zip
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## Contact

Name & Title	Phone	Email
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Tax ID #

UEID # \_\_\_\_\_ CAGE # \_\_\_\_\_

(e.g. “TBF Architects – Site Design & Local Approvals”)

[illegible]