

## Design Compliance

### Administrative

**Q: Can IHDA accept electronic files greater than 25mb? Can IHDA accept a DropBox, BOX, FTP Site, or Share link?**

A: IHDA is unable to connect to an external file transfer or cloud-based storage communicator. For files greater than 25mb, please send a request for a Sectrans link which can be used to transfer the files. For files smaller than 25mb, please send them via email.

### Mandatory Checklist

**Q: On the Architectural Standards, Universal Design and Amenities Certification form, Universal Design section, how do we differentiate between the requirements required by code and those that are not?**

A: The Architectural Standards, Universal Design and Amenities Certification form applies to multiple construction scopes; new construction, rehabilitation, and new addition projects. Based on applicable code requirements, some of the Universal Design features will not be applicable to all projects. Universal Design features that are required by code for the entire project cannot be selected. Where a Universal Design feature applies only to accessible or adaptable units, these features can be selected if they are to be applied universally to 100% of the units in the project.

**Q: On the Architectural Standards, Universal Design and Amenities Certification form, Amenities section, if a project is a scattered site project, where the buildings will be several blocks apart, can the Amenities features be applied across these buildings?**

A: Amenities can be shared between multiple buildings if all tenants across the project have access to them. Access to these selections needs to be convenient and maintained throughout the agreement period. Please contact IHDA during the design process to review the validity of the shared concept.

### Document Reviews

**Q: Why is the civil engineering contract required for review even though it is included in the architect's scope of services?**

A: Because the civil engineering contract can be held by the owner, IHDA has established separate fee limits and it is therefore reviewed independently from the architect's contract. Architectural fee limits include fees for engineering services (structural, mechanical, electrical, plumbing, fire protection, and information technology), and fees for landscape design services. However, if landscape design services are included in the civil engineering contract, the landscape design fees will be evaluated under the civil engineering fee limits.

**Q: Can IHDA start a plan review with only the architectural drawings?**

A: No, to perform a comprehensive review of the drawings, all disciplines must be submitted.

**Q: Can IHDA review Design Development phase drawings, prior to the full plan review?**

A: No, however IHDA can discuss specific design questions prior to conducting the full plan review.

## Design, Construction & Regulatory Compliance

### Frequently Asked Questions

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***Q: Are interior elevations always required for review?***

A: Yes, interior elevations or sections are required to demonstrate compliance with the required vertical locations of various components, such as cabinets and electrical devices, identified on the floor plan.

***Q: Are reflected ceiling plans always required for review?***

A: Yes, reflected ceiling plans are required to demonstrate that the drawings have been fully coordinated. The reflected ceiling plan should clearly delineate fixture and device locations to avoid conflicts and allow a reference for device coordination. Soffits needed to hide utilities and associated elevations are to be represented within this plan.

**Architectural Planning and Construction Standards**

***Q: For rehabilitation projects, can surface mounted wire management such as Wiremold be used when installing new wiring?***

A: Yes, in limited applications such as in back-of house areas and utility rooms. Best efforts shall be made to conceal new wiring in a manner which complies with all applicable codes. A Pre-design review is recommended for locations where it is technically challenging to accomplish concealment.

***Q: Will IHDA allow sprinkler piping to be installed exposed?***

A: No, sprinkler lines are considered a utility and therefore need to be concealed.

***Q: What is expected for the playground equipment that is required for non-elderly and Permanent Supportive Housing (PSH) developments?***

A: The playground equipment shall be commercial-grade fixed components surrounded by the obligatory fall zone targeting ages 2-12 years old. The quantity shall be based on the population and unit mix of the development. Best practice is expected when sizing the equipment for the target population. Not all pieces of equipment need to be accessible, however a minimum of 30% per Federal guidelines shall be ADA compliant.

***Q: IHDA standards require a cooktop and oven in a Community Room. Some jurisdictions require a commercial hood with fire suppression and black-iron ducting. Can the cooktop and oven be waived to avoid the need to include a commercial hood with fire suppression and black-iron ducting?***

A: No, however the cooktop and oven requirement can be substituted with a microwave/oven appliance such as the oven utilizing GE Advantium Technology or equivalent.

***Q: For a rehabilitation project, where space is limited, does bulk storage need to be provided per IHDA requirements?***

A: Yes, however a pre-design review with IHDA should be scheduled to determine the feasibility of including bulk storage on rehabilitation projects. Projects are expected to provide accessible, if structurally feasible, bulk storage units, in-unit or elsewhere in the building. If determined feasible, bulk storage units, conforming to IHDA requirements, should be identified on enlarged plans.

## Design, Construction & Regulatory Compliance

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#### **Accessibility Review**

##### ***Q: Which Accessibility standards do I need to comply with?***

A: For residential projects with Federal funds, compliance with Section 504, which follows UFAS guidelines, is required. For projects with Illinois state funds, compliance with the Illinois Accessibility Code is required. For most projects, compliance with Federal Fair Housing is required. For all projects, regardless of funding source, all publicly accessible spaces shall follow ADA 2010 Guidelines. For projects in the City of Chicago, approval by the Mayor's Office for People with Disabilities (MOPD) might be required. For projects with multiple funding sources, compliance with the most stringent of all applicable standards is required.

##### ***Q: For a rehabilitation project, when it is infeasible to comply with all requirements of the Illinois Accessibility Code (IAC), can IHDA provide a waiver for these requirements of the IAC?***

A: No, IHDA cannot waive code required components or processes. For IAC decisions, contact Felicia Burton at the Capital Development Board for an official interpretation. All written communications must be submitted to IHDA for record.

##### ***Q: When accessibility codes and standards required by various entities conflict, what requirement should the project comply with?***

A: In the event of a conflict between building codes and standards, the most stringent requirement shall apply to the project.

##### ***Q: What information should be included in the required unit matrix?***

A: The required unit matrix should, at minimum, include the following: unit number or series, unit area, number of bedrooms, number of bathrooms, and designation of accessible unit types (Section 504 (UFAS) for individuals with mobility impairments, Section 504 (UFAS) for individuals with sensory impairments, Type A, Type B/adaptable).

#### **Sustainability Review**

##### ***Q: Can IHDA waive the Mandatory Enterprise Green Communities (EGC) 5.1b requirement?***

A: No, the Mandatory EGC 5.1b cannot be waived entirely. Specific components of the requirement can be reviewed and evaluated on their own merit. Provide the mandatory report plus the waiver form to begin the review process. The waiver form is available on IHDA's website.

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## Regulatory Compliance

### Environmental Review

**Q: Why is a Part 58 review completed?**

A: The Part 58 review is completed to ensure all projects funded with federal funds comply with all applicable federal laws and authorities identified in Title 24 CFR Part 58.

**Q: Who is responsible for completing a Part 58 review?**

A: IHDA, as the Responsible Entity (RE), will assume the US Department of Housing and Urban Development's (HUD) National Environmental Policy Act (NEPA) responsibilities and serve as the Federal Agency on behalf of HUD.

**Q: What is a Request for Release of Funds (RROF)?**

A: The Notice of Intent to Request Release of Funds is submitted to HUD once IHDA has completed the Part 58 review. The document notifies HUD that the Part 58 has come back with a "Finding of No Significant Impact".

**Q: What is the Authority to Use Grant Funds (AUGF)?**

A: The AUGF is provided by HUD upon the completion of their project review. Once IHDA receives the AUGF, funds can be committed to the project and a project may close.

**Q: How long is a Phase I report valid?**

A: A Phase I report is valid for up to one year. Once the Phase I report is over one year old, a new Phase I report is required. A Phase I report that is over six months old would only need to be updated.

## Construction Compliance

### **Davis-Bacon / Contract Report – Section 3**

***Q: Should the Section 3 Workers/Targeted Section 3 Workers report be submitted with each payroll?***

A: Yes, the US Department of Housing and Urban Development (HUD) requires tracking the total labor hours for three categories of workers: all workers, Section 3 Workers, and Targeted Section 3 Workers, including workers of a Section 3 Business Concern.

***Q: Should the subcontractor complete the Exhibit B form if Section 3 workers are not involved with the project?***

A: If the subcontractor indicates on Exhibit A that Section 3 Workers are not involved, then Exhibit B does not need to be completed. If the subcontractor indicates on Exhibit A that Section 3 Workers are involved, then those employees are required to complete Exhibit B, employee self-certification.

***Q: Does the wage decision rate replace the contractor hourly rate?***

A: Yes, the wage decision rate would replace the contractor hourly rate if the contractor hourly rate is less than the wage decision rate being used for the project.

***Q: Should the work classification from the wage decision be used, instead of the journeyman, on certified payroll?***

A: Yes, the work classification from the wage decision is what should be reflected on the certified payroll.

### **Construction Contract**

***Q: What are IHDA's requirements regarding an early start to construction, prior to initial closing?***

A: Work started prior to initial closing is solely the responsibility of the Sponsor. IHDA shall not be responsible for payment or compensation to the contractor if funding is lost because of unauthorized activity. Upon initial closing, IHDA reserves the right to inspect work completed prior to closing, including any removal of previously installed components to properly confirm compliance with IHDA's standards and the approved plans and specifications.

***Q: Are pre-construction services provided by the General Contractor allowed to be reimbursed through the construction contract?***

A: When performing pre-construction services, the General Contractor shall be considered to be acting as a construction consultant to the Developer/Sponsor. All direct costs and fees associated with this service are viewed as consultancy and therefore are paid through the Developer Fee as defined in the QAP.

## Design, Construction & Regulatory Compliance

### Frequently Asked Questions

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#### **Construction Pay Applications**

***Q: For a lump-sum contract, why does the subcontractor & supplier backup documentation need to be submitted with the monthly pay request?***

A: IHDA Standards require that the GC and all subcontractors submit G702s and G703s to substantiate the amounts on a pay request. Further, provisions in the AIA A101 stipulate that applications for payment shall be supported by such data to substantiate their accuracy. Regardless of the contract type, in all instances where any contract agreement results in cost savings at the completion of the Project, the disposition of any savings shall be in the sole discretion of IHDA, in partnership with other funding agencies.

***Q: Doesn't Illinois law require construction retention be reduced to 5% once a project reaches 50% construction completion?***

A: The Contractor's Prompt Payment Act applies to all construction contracts and sub-contracts "for the design, construction, alteration, improvement, or repair of Illinois real property, except for contracts that require the expenditure of public funds and contracts for the design, construction, alteration, improvement, or repair of single-family residences or multiple family residences with 12 or fewer units in a single building" (emphasis added). Therefore, as a project receiving IHDA resources, it is not eligible for the Act.

#### **Construction Close Out**

***Q: For rehabilitation projects, do we need to provide an as-built ALTA/NSPS survey for final closing?***

A: An as-built ALTA/NSPS survey, is required for rehabilitation projects with site work which has altered the physical hardscape or reconfigured a surveyable component, i.e., parking stalls or an addition of ground level condensing units.

## Design, Construction & Regulatory Compliance

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## Insurance

***Q: When does IHDA review insurance?***

A: IHDA reviews insurance for all projects in which IHDA is providing financing during construction (i.e., loans/grants).

***Q: What types of certificates of insurance forms does IHDA accept?***

A: Accord 25 (Certificate of Liability) and Accord 28 (Evidence of Commercial Property Insurance).

***Q: Where should insurance documents be submitted?***

A: Submit insurance documents to [mfinsurance@ihda.org](mailto:mfinsurance@ihda.org).

## **Subsidy Layer Review (SLR)**

***Q: When does IHDA conduct an SLR?***

A: IHDA conducts SLR on new construction and rehabilitation projects which receive an allocation of Low-Income Tax Credits (LIHTCs) financed by IHDA and Section 8 Project-Based Voucher (PBV) Housing Assistance. The process and procedures pertain to PBV SLRs occurring after completion of the project underwriting and before execution of the Agreement to Enter into Housing Assistance Payments (AHAP) contract.

***Q: What information is required to complete an SLR?***

A: The SLR instructions and template can be found at IHDA's Developer's Resource Center, <https://www.ihda.org/developers/dev-resource-center/>.

***Q: What is the process to submit an SLR?***

A: All required documentation should be submitted to the Public Housing Authority (PHA), issuing the PBVs, for review. The PHA reviews the submission package and submits the reviewed SLR submission package to [slr@ihda.org](mailto:slr@ihda.org) for final review and approval.



## **ADDITIONAL QUESTIONS**

For questions not covered in this FAQ, please email your question to [MFDesignConstruct@IHDA.org](mailto:MFDesignConstruct@IHDA.org) and someone will reply within 24 hours during weekdays.