Rhode Island Housing

Request for Proposals
Section 8 Hearing Officer Services

INTRODUCTION

Through this Request for Proposals ("RFP"), Rhode Island Housing seeks proposals from qualified professionals and firms to serve as the administrative hearing officer for Rhode Island Housing's federal rental assistance programs, including the Housing Choice Voucher Program and certain project-based Section 8 developments.

INSTRUCTIONS

Two (2) original(s) and one (1) copy of the proposal should be submitted to Rhode Island Housing, 44 Washington Street, Providence, Rhode Island 02903-1721, Attn: Claribel Shavers, Director of Leased Housing and Rental Services. Please also direct a courtesy copy by email to: cshavers@rhodeislandhousing.org. Proposals should be concise and include all attachments. Proposals should be presented on business letterhead.

Proposals must be received no later than 5:00 EST p.m. on November 22, 2016.

Respondents are advised that all submissions (including those not selected for engagement) may be made available to the public on request upon completion of the process and award of a contract(s).

SCOPE OF WORK

Please see the Scope of Work provided at Attachment A.

ITEMS TO BE INCLUDED WITH YOUR PROPOSAL

A. General Firm Information

1. Provide a brief description of your firm, including but not limited to the following:
    a. Name of the principal(s) of the firm.
    b. Name, telephone number and email address of a representative of the firm authorized to discuss your proposal.
    c. Address of all offices of the firm.
    d. Number of employees of the firm.

B. Experience and Resources

1. Describe your firm and its capabilities. In particular, support your capacity to perform the Scope of Work at Attachment A. Outline the relevant professional experience of the person or persons that will serve as hearing officer, including (i) familiarity with rental assistance and/or other housing programs funded by the U.S. Department of Housing and Urban Development; and (ii) service as an administrative hearing officer.

2. Indicate which principals and associates from your firm would be involved in providing services to Rhode Island Housing. Provide appropriate background information for each such person and identify his or her responsibilities.

3. Provide a detailed list of references, including a contact name and telephone number for organizations or businesses for whom you have performed similar work.

4. Identify any conflict of interest that may arise as a result of business activities or ventures by your firm and associates of your firm, employees, or subcontractors as a result of any individual's status as a member of the board of directors of any organization likely to interact with Rhode Island Housing.

5. Identify any material litigation, administrative proceedings or investigations in which your firm is currently involved. Identify any material litigation, administrative proceedings or investigations, to which your firm or any of its principals, partners, associates, subcontractors or support staff was a party, that has been settled within the past two (2) years.

6. Describe how your firm will handle actual and or potential conflicts of interest.

7. Identify if you or individuals in your firm have multi-lingual skills, and are available to assist with communication in languages other than English. Please identify the language(s).

C. Fee Structure

The cost of services is one of the factors that will be considered in awarding this contract. The information requested in this section is required to support the reasonableness of your fees.

1. Please provide a cost proposal for providing the Scope of Work at Attachment A.

2. Provide an itemized breakdown of billing rates and hourly costs, list of key personnel and their hourly rates, reimbursable expenses, etc. for any services that may be requested in addition to the services previously described.

3. Please provide any other fee information applicable to the engagement that has not been previously covered that you wish to bring to the attention of Rhode Island Housing.

D. Miscellaneous

1. Rhode Island Housing encourages the participation of persons of color, women, persons with disabilities and members of other federally and State-protected classes. Describe your firm's affirmative action program and activities. Include the number and percentage of members of federally and State-protected classes who are either principals or senior managers in your firm, the number and percentage of members of federally and State-protected classes in your firm who will work on Rhode Island Housing's engagement and, if applicable, a copy of your Minority- or Women-Owned Business Enterprise state certification.

2. Discuss any topics not covered in this Request for Proposals that you would like to bring to Rhode Island Housing's attention.

E. Certifications

1. Rhode Island Housing insists upon full compliance with Chapter 27 of Title 17 of the Rhode Island General Laws, Reporting of Political Contributions by State Vendors. This law requires State Vendors entering into contracts to provide services to an agency such as Rhode Island Housing, for the aggregate sum of $5,000 or more, to file an affidavit with the State Board of Elections concerning reportable political contributions. The affidavit must state whether the State Vendor (and any related parties as defined in the law) has, within 24 months preceding the date of the contract, contributed an aggregate amount in excess of $250 within a calendar year to any general officer, any candidate for general office, or any political party.

2. Does any Rhode Island "Major State Decision-maker," as defined below, or the spouse or dependent child of such person, hold (i) a ten percent or greater equity interest, or (ii) a Five Thousand Dollar or greater cash interest in this business?

   For purposes of this question, "Major State Decision-maker" means:

   (i) All general officers; and all executive or administrative head or heads of any state executive agency enumerated in § 42-6-1 as well as the executive or administrative head or heads of state quasi-public corporations, whether appointed or serving as an employee. The phrase

"executive or administrative head or heads" shall include anyone serving in the positions of director, executive director, deputy director, assistant director, executive counsel or chief of staff;

(ii) All members of the general assembly and the executive or administrative head or heads of a state legislative agency, whether appointed or serving as an employee. The phrase "executive or administrative head or heads" shall include anyone serving in the positions of director, executive director, deputy director, assistant director, executive counsel or chief of staff;

(iii) All members of the state judiciary and all state magistrates and the executive or administrative head or heads of a state judicial agency, whether appointed or serving as an employee. The phrase "executive or administrative head or heads" shall include anyone serving in the positions of director, executive director, deputy director, assistant director, executive counsel, chief of staff or state court administrator.

If your answer is "Yes," please identify the Major State Decision-maker, specify the nature of their ownership interest, and provide a copy of the annual financial disclosure required to be filed with the Rhode Island Ethics Commission pursuant to R.I.G.L. §§36-14-16, 17 and 18.

3. In the course of providing goods or services to Rhode Island Housing, the selected respondent may receive certain personal information specific to Rhode Island Housing customer(s) including, without limitation, customer names and addresses, telephone numbers, email addresses, dates of birth, loan numbers, account numbers, social security numbers, driver's license or identification card numbers, employment and income information, photographic likenesses, tax returns, or other personal or financial information (hereinafter collectively referred to as the "Personal Information"). The maintenance of the Personal Information in strict confidence and the confinement of its use to Rhode Island Housing are of vital importance to Rhode Island Housing. Please include a letter from your president, chairman or CEO certifying that, in the event your firm is selected:

   (i) any Personal Information disclosed to your firm by Rhode Island Housing or which your firm acquires as a result of it services hereunder will be regarded by your firm as confidential, and shall not be copied or disclosed to any third party, unless Rhode Island Housing has given its prior written consent thereto; and

   (ii) your firm agrees to take all reasonable measures to (a) ensure the security and confidentiality of the Personal Information, (b) protect against any anticipated threats or hazards to the security or integrity of

the Personal Information, and (c) maintain reasonable security procedures and practices appropriate to your firm's size, the nature of the Personal Information, and the purpose for which the Personal Information was collected in order to protect the Personal Information from unauthorized access, use, modification, destruction or disclosure; and

(iii) when discarding the Personal Information, destroying it in a commercially reasonable manner such that no third party can view or recreate the information, electronically or otherwise.

These provisions, which implement the requirements of the Rhode Island Identity Theft Protection Act, R.I.G.L. § 11-49.2 et seq., will also be incorporated into the final contract with the selected respondent(s).

4. Please include a letter from your president, chairman or CEO certifying that (i) no member of your firm has made inquiries or contacts with respect to this Request for Proposals other than in an email or written communication to Claribel Shavers at cshavers@rhodeislandhousing.org seeking clarification on the Scope of Work set forth in this proposal, from the date of this RFP through the date of your proposal, (ii) no member of your firm will make any such inquiry or contact until after November 22, 2016, (iii) all information in your proposal is true and correct to the best of her/his knowledge, (iv) no member of your firm gave anything of monetary value or promise of future employment to a Rhode Island Housing employee or Commissioner, or a relative of the same, based on any understanding that such person's action or judgment will be influenced and (v) your firm is in full compliance with Chapter 27 of Title 17 of the Rhode Island General Laws, Reporting of Political Contributions by State Vendors.

EVALUATION AND SELECTION

A selection committee consisting of Rhode Island Housing employees (the "Committee") will review all proposals and make a determination based on the following factors:

- Professional capacity to undertake the Scope of Work
- Proposed fee structure
- Ability to perform within time and budget constraints
- Previous work experience and performance with Rhode Island Housing and/or similar organizations
- Recommendations by references
- Foreign language capabilities of the firm
- Other pertinent information submitted

Rhode Island Housing may invite one or more finalists to make presentations.

By this Request for Proposals, Rhode Island Housing has not committed itself to undertake the work set forth. Rhode Island Housing reserves the right to reject any and all proposals, to rebid the original or amended scope of services and to enter into negotiations with one or more respondents. Rhode Island Housing reserves the right to make those decisions after receipt of responses. Rhode Island Housing's decision on these matters is final.

For additional information contact: **Claribel Shavers,**
cshavers@rhodeislandhousing.org**.**

Attachment A

Scope of Work

Rhode Island Housing seeks to engage one or more qualified firms or individual professionals to serve as Rhode Island Housing's administrative hearing officer(s). The hearing officer(s) will preside at informal hearings related to federal rental assistance programs administered by Rhode Island Housing, including the Housing Choice Voucher Program, and certain project-based Section 8 developments. As these are federal programs regulated by the U.S. Department of Housing and Urban Development ("HUD"), the successful respondent must have demonstrated experience with HUD rental assistance and other housing programs and applicable HUD rules and regulations. To a lesser extent, the hearing officer(s) will conduct informal hearings related to Rhode Island Housing's own RoadHome rental assistance program. Rhode Island Housing may select one or more firms or professionals to create a roster that will be used on a rotation basis. On average, Rhode Island Housing conducts up to 70 hearings per year.

All hearings must be conducted in accordance with the Rhode Island Administrative Procedures Act, chapter 35 of title 42 of the Rhode Island General Laws, and Rhode Island Housing's Administrative Plan for the Housing Choice Voucher Program. Hearings related to project-based Section 8 developments financed under HUD's State Agency Set-Aside program must be conducted in accordance with applicable Rhode Island Housing regulations, consent decrees, and the development owner's Tenant Selection Plan. Hearings related to the RoadHome rental assistance program must be performed consistent with Rhode Island Housing's written program policies. Hearing officers must have sufficient knowledge and capacity to determine the applicable federal and state statutes and regulations that apply in a particular hearing, as the same may be interpreted by relevant HUD handbooks and other published guidance, and satisfactorily apply the laws to the facts of the matter. Hearings will take place at Rhode Island Housing's headquarters, or other such place acceptable to Rhode Island Housing, and must be audio recorded.

In most circumstances, hearing officers must provide the parties with a final written hearing decision within ten (10) business days of the date of the hearing. The written decision must be based solely upon information presented at the hearing and applicable law. The decision shall provide a detailed description of the facts, concise statement of the applicable laws and program rules, an analysis of the issues, and a conclusion. The hearing officer must submit original hard copies of the written decision to Rhode Island Housing's Director of Leased Housing and Rental Services and all parties and their legal representatives.

To be qualified to serve in this capacity, each individual selected as a Section 8 hearing officer must possess at least three years of relevant experience as an attorney, law clerk, judge, arbitrator, administrative law judge or significant experience gained through administration of Section 8 programs and the conduct of informal hearings. The successful respondent will have experience working with foreign language interpreters and serving

diverse populations. Selected firms and individuals must have experience with reasonable accommodation procedures.

Selected firms/professionals will be required to attend a Rhode Island Housing training within two (2) months of acceptance. The training program will consist of instruction on Rhode Island Housing's Administrative Plan among other program, procedural, and scheduling information.