



**Request for Proposals
Administrative Hearing Officer**

INTRODUCTION

Through this Request for Proposals (“RFP”), the Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) seeks proposals from qualified firms to **serve as the Administrative Hearing Officer for RIHousing’s federal rental assistance programs, including the Housing Choice Voucher Program and certain Section 8 developments.**

INSTRUCTIONS

One (1) electronic proposal should be submitted to RIHousing via email to: **Jessica Mowry, Assistant Director, Leased Housing and Rental Services** at **jmowry@rihousing.com**. Proposals should be concise and include all attachments and work samples. Proposals should be presented on business letterhead.

Proposals must be received no later than 3:00 EST p.m. on Wednesday, September 16, 2020. Responses received after this date and time shall not be accepted.

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

Please note that failure to provide any information, certification, or document requested in this RFP may cause your submission not to be scored.

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.

Submission
Check List



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.

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

3. Please include a current client roster, including a lead contact name and telephone number for each.

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 RIHousing. **If none, please provide a statement to such effect.**

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

6. 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 finally adjudicated or settled within the past two (2) years. **If none, please provide a statement to such effect.**

7. Identify individuals in your firm with multi-lingual skills, who 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 RIHousing.

D. Miscellaneous

1. RIHousing 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 RIHousing'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 RIHousing's attention.

E. Certifications

1. RIHousing 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 RIHousing, 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. Please acknowledge your understanding of this in your RFP response.

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. If your answer is “No,” please provide a statement to such effect.

3. In the course of providing goods or services to RIHousing, the selected respondent may receive certain personal information specific to RIHousing 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 RIHousing are of vital importance to RIHousing. **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 RIHousing or which your firm acquires as a result of its services hereunder will be regarded by your firm as confidential, and shall not be copied or disclosed to any third party, unless RIHousing 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). In addition, if selected, your firm may be requested to provide a copy of its information security plan.



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 **Jessica Mowry at jmowry@rihousing.com** 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 **Wednesday, September 16, 2020**, (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 RIHousing 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 RIHousing 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
- Evaluation of potential work plans
- Previous work experience and performance with RIHousing and/or similar organizations
- Firm minority status and affirmative action program or activities
- Foreign language capabilities of the firm
- Other pertinent information submitted.

RIHousing may invite one or more finalists to make presentations.

In its sole discretion, RIHousing may negotiate with one or more firms who have submitted qualifications to submit more detailed proposals on specific projects as they arise.

By this Request for Proposals, RIHousing has not committed itself to undertake the work set forth. RIHousing 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. RIHousing reserves the right to make those decisions after receipt of responses. RIHousing’s decision on these matters is final.

For additional information contact: Jessica Mowry at jmowry@rihousing.com.

Revised: October 2019



Attachment A

Scope of Work

RIHousing seeks to engage **qualified professionals or firms** to serve as the administrative hearing officer for Rhode Island Housing Mortgage and Finance Corporation's ("RIHousing's") federal rental assistance programs, including the Housing Choice Voucher Program and certain Section 8 developments.

The hearing officer(s) will preside at informal hearings related to federal rental assistance programs administered by RIHousing. 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, hearing officer(s) will conduct informal hearings related to RIHousing's own RoadHome rental assistance program. RIHousing may select one or more firms or professionals to create a roster that will be used on a rotation basis. On average, RIHousing conducts up to 70 hearings per year.

All hearing must be conducted in accordance with the Rhode Island Administrative Procedure Act, chapter 35 of title 42 of the Rhode Island General Laws, and RIHousing'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 RIHousing regulations, consent decrees, and the development owner's Tenant Selection Plan. Hearings related to the RoadHome rental assistance program must be performed consistent with RIHousing'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 RIHousing's headquarters, or other such place acceptable to RIHousing, 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 laws and program rules, and analysis of the issues, and a conclusion. The hearing officer must submit original hard copies of the written decision to RIHousing's Director of Leased Housing and Rental Services and all parties and their legal representatives.



To be qualified to serve in the capacity, each individual selected as a Section 8 hearing officer must possess at least three (3) 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 firm and individuals must have experience with reasonable accommodation procedures.

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