

REQUEST FOR PROPOSALS
Update and Expand Existing Multifamily Compliance Manual

Posting Date: April 23, 2024

Response Submission Deadline: 3:00 EST p.m. on May 25, 2024

NOTE TO RESPONDENTS:

Please be advised that **all** submissions (including those not selected for engagement) may be made available to the public on request pursuant to the Rhode Island Access to Public Records Act, Chapter 2 of Title 38 of the Rhode Island General Laws (the “APRA”) upon award of a contract(s). As a result, respondents are advised not to include information that they deem proprietary or confidential or that constitutes a trade secret.

INTRODUCTION

Through this Request for Proposals (“RFP”) the Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) seeks proposals from qualified firms to update the existing Low-Income Housing Tax Credit (“LIHTC”) Compliance Manual (“Manual”). Updates to the current Manual would include The Housing Opportunity through Modernization Act (“HOTMA”) amendments as well as HUD’s new NSPIRE inspection standards. Further, this RFP seeks proposals from qualified firms to expand the existing Manual to include compliance requirements for other federal affordable housing programs such as the PBCA Section 8 program, 811 program, HOME program and the Housing Trust Fund. This would be a collaborative process whereby the successful firm would consult with RIHousing staff to incorporate RIHousing’s existing policies and procedures into an updated Manual. The successful firm must demonstrate direct experience providing expertise, consulting services and technical assistance with respect to the LIHTC program and the federal housing programs listed above.

INSTRUCTIONS

Proposals must be submitted via email to: **Hope Lanphear, Assistant Director of Leased Housing and Rental Services** at hlanphear@rihousing.com no later than the response submission deadline set forth above.

Proposals that are not received by the response submission deadline or that do not adhere to the submission instructions described herein shall not be accepted or considered by RIHousing.

Proposals should be concise and adhere to the word count applicable to each section of this Request for Proposals (“RFP”). Proposals should be presented on business letterhead and include all attachments, certifications (including the Submissions Certification at [Attachment A](#)), and work samples (as applicable). Please note that failure to provide any information, certification, or document requested in this RFP may cause your submission not to be reviewed or considered by RIHousing.

RIHousing may invite one or more finalists to make presentations, including demonstrations of requested products, if applicable.

Updates, amendments, and Q&As related to this Request for Proposals may be posted from time to time at: [RFPs & RFQs | RIHousing](#).

SCOPE OF WORK

Please see the Scope of Work as provided on Attachment B.

ITEMS TO BE INCLUDED WITH YOUR PROPOSAL

**SUBMISSION
CHECK LIST**

Section A: General Firm Information (Total word limit: 500 words)

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, business telephone number and business email address of a representative of the firm authorized to discuss your proposal.
 - c. Locations of all offices of the firm.
 - d. Number of employees of the firm.

RIHousing requests that the contact information provided in response to this subsection (1) be strictly limited to business addresses, telephone numbers, and email addresses to protect any personal information from being made available to the public pursuant to APRA.

Section B: Experience and Resources (Total word limit: 3500 words)

1. Describe your firm and its capabilities. In particular, support your capacity to perform the Scope of Work by providing a description of your experience and knowledge regarding HOTMA, NSPIRE, and the various federal programs for affordable housing. Additionally, please describe your capacity and/or experience providing virtual trainings covering the programs referenced above

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 their responsibilities.

3. If applicable, please indicate the name of any subcontractors that would be involved in providing services to your firm and to RIHousing. Provide appropriate background information for each person or entity, identify the person's responsibilities, and outline their capabilities.

4. Please provide a detailed list of references, including a contact name and business telephone number for organizations or businesses for whom you have performed similar work.

- 5. 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).
- 6. Describe your firm's information security systems and the steps that your firm takes to safeguard client communication, confidential information, and client data. Include in your response whether your firm performs penetration testing, your firm's encryption methods, and whether client data is stored onshore or offshore.

Section C: Fee Structure (Total word limit: 500 words)

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 B.
- 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.

Section D: Affirmative Action Plan and Minority Owned Business/Women Owned Business

- 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.

Section E: Miscellaneous (Total word limit: 1000 words)

- 1. Discuss any topics not covered in this RFP that you would like to bring to RIHousing's attention.

Section F: Certifications



All applicants must respond to and provide documentation as outlined in the Request for Proposals Submission Certifications at Attachment A.

EVALUATION AND SELECTION

A selection committee consisting of RIHousing employees will review all proposals that meet the requirements set forth in the “Instructions” section of this RFP and make a selection based on the following factors:

- Professional capacity to undertake the Scope of Work (as evaluated by reference in Section B: Experience and Resources);
- Proposed fee structure (as evaluated by reference in Section C: Fee Structure);
- Ability to perform within time and budget constraints (as evaluated by reference in Section B);
- Evaluation of proposed project approach (as contained in the Attachment B-Scope of Work, Section B);
- Previous work experience and performance with RIHousing and/or similar organizations (as provided in Section B: Experience and Resources, subsection 3);
- Recommendations by references (as provided in Section B: Experience and Resources, subsection 3);
- Firm minority status and affirmative action program or activities (as requested in Section D: Affirmative Action Plan and Minority Owned Business/Women Owned Business)
- Foreign language capabilities of the firm (as provided in Section B: Experience and Resources, subsection 5);
- Other pertinent information submitted.

By this RFP, RIHousing has not committed itself to undertake the work set forth herein. 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 its receipt of responses. RIHousing’s decision on these matters is final.

For additional information contact: Hope Lanphear, hlanphear@rihousing.com.

Attachment A

Requests for Proposals Submission Certifications

Please respond to **all** items below and include it in your response to this RFP. Be sure to include any additional information in the space provided or as an attachment as needed. Please ensure that any attachments refer to the appropriate item by name (i.e., “Conflict of Interest,” “Major State Decision Maker,” etc.)

Total word limit for Sections A and B: 500 words

Section A: Conflicts of Interest

1. 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, check below.**

None

2. Describe how your firm will handle actual and or potential conflicts of interest (*please include in your proposal or attach a sheet with this information*).

Section B: Litigation, Proceedings, Investigations

1. Identify any material litigation, administrative proceedings, or investigations in which your firm is currently involved. **If none, check below.**

None

2. 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, check below.**

None

Section C: 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 below.**

I have read and understand the requirements of Chapter 27 of Title 17 of the Rhode Island General Laws, Reporting of Political Contributions by State Vendors.

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.

Please indicate your response below.

Yes

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.

No

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 certify below 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.

I certify that in the event our firm is selected, we will comply with the Personal Information and Security guidelines noted above.

4. Your firm's president, chairman or CEO must certify below that (i) no member of your firm has made inquiries or contacts with respect to this RFP other than in an email or written communication to Kathleen Millerick, kmillerick@rihousing.com; Michael DiChiaro, mdichiaro@rihousing.com, or Hope Lanphear, hlanphear@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 May 25, 2024, (iii) all information in the proposal is true and correct to the best of your 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, (v) your firm did not consult with RIHousing in connection with the development of this RFP, and (vi) 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.

I certify that no member of our firm has made or will make any such inquiries or contacts; all information supplied is true and correct; no member of our firm has provided anything of value to influence RIHousing; and our firm is in compliance with applicable political contribution reporting.

President, Chairman or CEO (*print*): _____

Signature: _____

Firm Name: _____

Attachment B

Scope of Work

I. Services to be Provided

Update RIHousing's current Low Income Housing Tax Credit ("LIHTC") Manual ("Manual") to include and align with new IRS regulations and HUD's new policies and procedures as detailed in HOTMA and NSPIRE. Consultant will review existing Manual, provide a written assessment comparing policies and practices in Manual to applicable legal authorities and industry best practices, and meet with RIHousing staff on a weekly basis to provide written assessments and discuss. It is expected that these meetings will result in newly formed and/or updated policies and procedures for the following state and federal housing programs administered by RIHousing including but not limited to:

- LIHTC
- HUD Section 8 Program ("PBCA")
- HOME Investments Partnership Program ("HOME")
- 811 Program
- Housing Trust Fund ("HTF")
- Building Homes Rhode Island ("BHRI")
- Capital Magnet Fund ("CMF")
- Neighborhood Opportunities Program ("NOP")
- Extremely Low-Income Program ("HPF-ELI")
- Neighborhood Stabilization Program ("NSP")
- Naturally Occurring Affordable Housing ("NOAH")
- Workforce Housing/Middle-Income Program ("WFH/MI Program")

Consultant is to assess existing RIHousing policies and procedures, compare with Industry Best Practices, and provide a report with the findings. Further, consultant should be prepared to provide sample documents for RIHousing's use, such as:

- File review checklists
- Verification forms
- Self-certification forms
- Template for tenant selection plans
- Template for management plan
- Sample of management agreement

Provide a one-time, virtual training to RIHousing's Leased Housing and Rental Services staff to ensure comprehension of new federal programs and policies referenced in updated manual.

Provide a one-time, virtual training for RIHousing's affordable housing partners to roll out the new Manual.

II. Project Schedule

The selected firm will be prepared to commence the scope of work by September 1, 2024, and complete the relevant elements of the Scope of Work to allow for Manual submission and roll-out by December 31, 2024.

The training elements of this Scope of Work are anticipated to continue after December 31, 2024, and the selected firm should be prepared to support RIHousing intermittently with related training and technical support until June 30, 2025.

III. Project Approach

The selected firm will be responsible for the timely performance of the following activities, with input and support from RIHousing staff:

- Review and assess existing RIHousing LIHTC Manual.
- Provide written comparison of RIHousing LIHTC Manual and industry best practices along with recommendations and sample documents.
- Submit draft of updated LIHTC Manual to comply with programs listed below.
- Finalize and submit completed Manual by December 31, 2024.
- Conduct a virtual training program for RIHousing staff and RIHousing's partners as soon as possible following completion of Manual.

All materials produced by the consulting team must meet all applicable IRS and HUD statutes and regulations, including without limitation:

- 26 U.S. Code § 42;
- Title 24, Part 5 of the CFR, as amended;
- HUD 4350.1
- HUD 4350.3
- RI Housing's PBCA ACC
- 811 PRA Frank Melville Supportive Housing Act of 2010 and relevant NOFOs
- All other applicable federal, state, and local statutes and regulations.

The updated Manual must include (at minimum) the following for each covered program, as applicable:

- Program Overview
- Rhode Island Housing Responsibilities
- Compliance Monitoring
- Conducting of Training and Technical Guidance
- Inspections and reviews
- Certification submissions
- Special Claims and Vouchers
- Replacement Reserve Requests

- Rent increases
- Utility Allowances, including modifications
- Policy Requirements
- EIV requirements
- Contract Renewals
- Owner Responsibilities – Including, but, not limited to, Annual Reporting, Recordkeeping and Retention, Files and Resident Services Plans
- Applicable Fraction
- Available Unit Rule
- Compliance
- Eligible Basis
- Fair Housing
- Gross Rent
- Lease and Lease Addendums
- LURA - Extended Use Agreement
- Minimum Set-Asides
- Non-compliance
- Non-compliance (Form 8823) Process Map, Instructions and Explanations
- Recapture Requirements Under IRC §42(j)
- Regulatory Agreement
- Student Rule
- Tenant Annual Income Certification