

Request for Action
By
Board of Commissioners

Approval of Revisions to Purchasing Policies

A. SUMMARY OF REQUEST

This Request for Action is for approval of revisions to the Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) Purchasing Policies in accordance with staff recommendations.

B. DISCUSSION

RIHousing maintains Purchasing Policies that reflect the laws enacted in the Rhode Island State Purchases Act (“RISPA”). RIGL 37-2-1, et. seq. With limited exceptions, RISPA applies to every expenditure of public funds by any Rhode Island state governmental entity, or a public agency under any contract or like business agreement with outside vendors. Additionally, RIGL 28-5.1-10 requires businesses contracting with the State to commit to the same level of equal opportunity “as prevails under federal contracts controlled by federal executive orders 11246, 11625 and 11375”. This includes preparing an Affirmative Action plan pursuant to Federal Executive Order 11246. This requirement for an Affirmative Action plan is reflected in the current RIHousing Purchasing Policies.

On January 21, 2025, the Trump Administration officially revoked Executive Order 11246, thereby ending the Affirmative Action plan requirement for Federal contractors. As RIGL 28-5.1-10 incorporates Executive Order 11246 by reference, on May 16, 2025, the Rhode Island Department of Administration circulated a memorandum advising State agencies to discontinue requiring businesses contracting with the State to submit Affirmative Action plans as a prerequisite to awarding a contract.

In response to the rescission of Executive Order 11246 by the Trump administration and the memorandum from the Department of Administration, the Legal department is proposing a revision to the RIHousing Purchasing Policies to remove references to the Affirmative Action requirement.

C. RECOMMENDATION

Staff recommends that the Board of Commissioners approve the attached Resolution adopting the amended RIHousing Purchasing Policies substantially in the form as presented at this meeting.

D. ATTACHMENTS

- A. Resolution of the Board of Commissioners of RI Housing
- B. Summary of Substantive Revisions to the Purchasing Policies
- C. Revised Purchasing Policies
- D. Revised Purchasing Policies – Redlined

Attachment A

Resolution of the Board of Commissioners of Rhode Island Housing and Mortgage Finance Corporation

- Whereas:** Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) maintains Purchasing Policies to ensure compliance with the Rhode Island State Purchases Act (“RISPA”). RIGL 37-2-1, et. seq, and RIGL 28-5.1-10; and
- Whereas:** Executive Orders from the Trump Administration have rescinded Executive Order 11246 relating to Affirmative Action; and
- Whereas:** The rescission of Executive Order 11246 affects the enforceability of RIGL 28-5.1-10 as it pertains to requiring businesses contracting with the State of Rhode Island to maintain an Affirmative Action plan; and
- Whereas:** The Rhode Island Department of Administration has issued guidance advising State agencies to discontinue requiring businesses contracting with the State to submit affirmative action plans as a prerequisite to awarding a contract; and
- Whereas:** RIHousing staff has undertaken a review of the Purchasing Policies, and has established the need for certain revisions, which will update the Purchasing Policies to reflect the guidance recommended by the Department of Administration.

NOW, THEREFORE, IT IS HEREBY:

- Resolved:** That RIHousing hereby approves and adopts the revised RIHousing Purchasing Policies substantially in the form set forth in Attachment C and presented at this meeting; and
- Resolved:** That the Executive Director, Deputy Executive Director and Chief Administrative Officer, each acting singly, are hereby authorized and directed to take any and all actions they deem necessary and appropriate in furtherance of the foregoing resolutions, including the approval of administrative and interim updates to the Purchasing Policies prior to the next comprehensive review.

Attachment B
Summary of Substantive Revisions to the Purchasing Policies

Policy Section	Add/Delete/Change	Amendment
Cover Page	Delete "December 31, 2023" and replace with "September 18, 2025"	
Table of Contents	Delete section 2.6 in its entirety	
1.1.1.4	Delete "and equitable"	
1.1.1.7	Delete "and Affirmative Action"	
2.2.3.5.2	Delete "and Affirmative Action"	
2.6	Removed in its entirety due to RISPA § 37-2-57 having been repealed in 1999	
4.1.1	Removed in its entirety	Replaced with "[Intentionally Removed]"
4.3.3.4	Delete "an Affirmative Action employment plan"	Replaced with "[Intentionally removed]"
6.2.1	Delete "Disadvantaged Business Enterprises"	
6.2.1	Add "Veteran Owned Business Enterprises" after "Women Owned Business Enterprises,"	
6.2.1	Add "in accordance with the provisions of Rhode Island Law" after the word "solicited"	
8.1.5	Deleted in its entirety	Replaced with "[Intentionally Removed]"

Attachment C
Revised Purchasing Policies

Attachment C

Amendment D
Revised Purchasing Policies - Redline

