



REQUEST FOR PROPOSALS

Section 106 Consultants

Posting Date: July 26, 2024

Response Submission Deadline: 3:00 p.m. EST on August 16, 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 create a roster of firms who can assist RIHousing with certain aspects of federal and state-level historic reviews, including making eligibility determinations as required by Section 106 of the National Historic Preservation Act of 1966, for properties receiving federal and/or state funding.

INSTRUCTIONS

Proposals must be submitted via email to: Stacy Wasserman, Innovation Program Manager at swasserman@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. 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](#).



RFP/RFQ Title: _____
Respondent Name: _____



RFP/RFQ Title: _____
Respondent Name: _____

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. Firms must meet specific professional qualification standards. These standards can be [found here](#). Describe your firm’s qualifications and ability to meet these specific standards.

2. Describe your firm and its capabilities. In particular, support your capacity to perform the Scope of Work.

3. 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.

4. 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.

5. 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.



RFP/RFQ Title: _____
Respondent Name: _____

- 6. 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).
- 7. 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



RFP/RFQ Title: _____
Respondent Name: _____

- 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 and as provided in Attachment B-Scope of Work);
- Evaluation of proposed project approach (as contained in Attachment B-Scope of Work);
- 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)
- 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: Stacy Wasserman, swasserman@rihousing.com and Deborah Devine, ddevine@rihousing.com.



RFP/RFQ Title: _____
Respondent Name: _____

Revised: February 15, 2023



RFP/RFQ Title: _____
Respondent Name: _____

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(s) 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



RFP/RFQ Title: _____
Respondent Name: _____

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



RFP/RFQ Title: _____
Respondent Name: _____

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 Stacy Wasserman, swasserman@rihousing.com and/or Deborah Devine, ddevine@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 August 16, 2024, (iii) all information in the proposal is true and correct to the best of your knowledge, (iv) no member of your firm gave



RFP/RFQ Title: _____
Respondent Name: _____

anything of monetary value or promise of future employment to an 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: _____



RFP/RFQ Title: _____
Respondent Name: _____

Attachment B

Scope of Work

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires that if a federal or federally assisted project has the potential to affect historic properties, a Section 106 review will take place. RIHousing administers several programs using federal funds to build or rehabilitate housing, and therefore must complete Section 106 reviews for these projects as the Agency Official, as defined in NHPA.

Through this RFP, RIHousing will create a roster of firms that RIHousing can engage on an as-needed basis to provide services in connection Section 106 and state-level historic reviews.

I. Services to be Provided

Firms must be able to provide RIHousing, as the Agency Official, with information and analyses, on a project-by-project basis, required to conduct a Section 106 review. Specifically, Firms must be able to provide, as needed:

- Project description
- Areas of potential impact
- Steps taken to identify historic properties
- Evaluation of historic significance
- Assessment of adverse effects
- Resolution of adverse effects

An explanation and breakdown of responsibilities under each section above can be found in the Section 106 regulations, 36 CFR Part 800, located [here](#).

The services expected to be performed and the information to be provided by the Firm will differ based on the project and the outcome of certain initial analyses.

Generally, it is expected that Firms will be able to assist with the following: RIHousing will identify a project receiving certain federal funding, and the Firm will be required to gather information and perform an analysis to determine if any properties within the project are listed in the National Register of Historic Places or are eligible for listing. If the property is listed or determined to be eligible for listing, then the Firm will proceed with an assessment of the project effects. The Firm must determine if there could be “adverse effects” that would diminish characteristics qualifying a property for inclusion in the National Register and may be asked to provide recommendations for how such effects may be resolved.

If the Firm determines that the project has not yet been evaluated for inclusion in the National Register, the Firm will generate an assessment of the property’s possible inclusion. If the Firm concludes that the property would not be eligible, it will prepare a letter detailing the factors that lead to that conclusion.



RFP/RFQ Title: _____
Respondent Name: _____

RIHousing must complete Section 106 reviews for a number of federally funded programs, including the agency’s [LeadSafe Homes Program](#) and programs to finance the development and preservation of affordable housing units, including HOME, HOME-ARP (American Rescue Plan), Community Magnet Fund, HFA Multifamily Housing Financing Program – Risk Share 542 (c), and Housing Trust Fund. RIHousing must also complete Section 106 reviews for projects funded under HUD’s Community Project Funding Grant. Section 106 Reviews are required for all programs that require a HUD Part 58 Environmental Review.

Over the next year, we anticipate that a minimum of 100 units will need to be reviewed for the LeadSafe Homes Program. In addition, to give a sense of what the caseload may be in the upcoming year: this past year, 15 projects equaling 475 units in the agency’s development division required Section 106 reviews.

Project/property size will vary. Many projects, including most projects reviewed in connection with the LeadSafe Homes Program, will be smaller, such as a single-family home or multifamily properties with 2-3 units. Some projects may be larger, such as mill rehabilitations or larger multifamily developments.

In addition, Firms may be asked to provide services mirroring the Section 106 responsibilities outlined above for projects requiring state-level historic reviews.

II. Project Schedule

Firms should present their estimated timelines to complete these determinations for single-family homes, 2-3 unit properties and larger multifamily properties. Please note that at a minimum, all reviews must be completed within 30 days. A shorter timeframe, if possible, is preferred.