

**Request for Action By
Board of Commissioners**

**Approval of Engagement of Consultant for Renewable/Solar Energy Utilization
(National Housing Trust, National Consumer Law Center)**

A. Summary of Action

This Request for Action (“RFA”) is for approval of the engagement of a consultant to evaluate statutory and regulatory barriers to maximizing utilization of renewable energy in affordable housing and develop statutory and regulatory language to remove or mitigate those barriers.

B. Discussion

As the state’s Housing Finance Agency (“HFA”) RIHousing is interested in promoting the utilization of renewable energy resources in affordable housing projects. However, there are a number of statutory, regulatory, and logistical barriers to doing that. Those challenges include a statutory prohibition on family developments of more than 10 units utilizing a master meter ([RIGL 39-3-7.1](#)), which, combined with requirements that onsite or virtual net metering runs through a single meter, makes it difficult for the benefits of renewable energy savings to be shared with residents of these developments. It also creates challenges with being able to size renewable resources to the needs of the entire development rather than just the needs served by a common area meter.

Through a Request for Proposals (“RFP”), RIHousing sought proposals from qualified firms to identify barriers to maximizing the utilization of solar and other renewable energy resources in affordable housing in Rhode Island, develop statutory and/or regulatory language to remove or mitigate those barriers, and provide support to RIHousing as needed in moving these statutory and/or regulatory recommendations forward. The deliverables for this project are:

1) Production of a report that includes:

- Identification of barriers to maximizing the utilization of renewable energy in affordable housing developments and sharing the benefits of energy cost savings with tenants. This should include identification of statutory and/or regulatory barriers in Rhode Island;
- Overview of best practices from Rhode Island and around the country that are being used to overcome these or similar barriers to utilizing solar/ renewable energy in affordable developments;
- Recommendations for addressing identified barriers including statutory and/or regulatory changes.

2) Drafting of recommended new statutory and/or regulatory language

3) Availability to assist RIHousing in moving recommended language forward through the legislative or regulatory process with topical expertise and contributing to written materials

as needed.

The RFP was issued on October 5, 2023. RIHousing received one proposal in response to the RFP from National Housing Trust (“NHT”) in partnership with the National Consumer Law Center (“NCLC”). A committee consisting of the Assistant Director of Design and Construction, Design and Construction Manager, and staff from the Executive Division conducted a review of the proposal in accordance with the criteria set forth in the RFP and recommends engaging NHT and NCLC for this work. The scoring matrix is set forth as Attachment B.

For nearly 40 years, NHT has used the tools of real estate development, rehabilitation, finance, and policy innovation to save more than 36,000 homes in all 50 states, leveraging more than \$1.2 billion in financing. They have been a leader in integrating clean energy into affordable housing for over a decade. Their clean energy policy experience includes advising federal agencies on integrating solar into affordable housing, working with utility companies and their regulators across 12 states to develop effective low-income energy efficiency programs, and supporting state HFAs to incorporate sustainability incentives in their Housing Credit programs. NCLC is a deeply respected consumer rights organization with extensive regulatory and legislative drafting experience and a 50+ year history of working on behalf of low-income consumers before legislatures, federal and state agencies, and in the courts. NCLC’s energy work focuses on programs and policies that make energy more affordable to low-income households by supporting programs that make low-income homes more energy efficient and assist households in gaining equitable access to renewable energy. Their proposal provides a strong project plan and approach to completing the scope of work, and staff is confident they have the skills and knowledge to deliver the requisites of the RFP. Staff determined that the proposed budget and hourly rates for staff appear reasonable based on the scope of work to be performed. The proposed pricing is \$65,000. The expected completion date for the report is December 2023 and for the statutory language is January 2024. NHT will serve as the prime contractor, and NCLC will be a subcontractor.

C. Recommendation

The attached resolution approving the engagement of National Housing Trust, as prime contractor in partnership with the National Consumer Law Center, is recommended for approval.

D. Attachment

- A. Resolution
- B. Scoring Matrix

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

WHEREAS: the enabling act of the Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) provides the agency with all the powers to make and execute contracts necessary for the exercise of its functions under the Rhode Island Housing and Mortgage Finance Corporation Act, R.I. Gen. Laws §42-55-5(6); and

WHEREAS: RIHousing wishes to engage a consultant to evaluate barriers to maximizing the utilization of solar/renewable energy in affordable housing and draft statutory and/or regulatory language to address those barriers; and

WHEREAS: RIHousing received one (1) proposal in response to a Request for Proposals for such services; and

WHEREAS: staff reviewed the proposal according to the criteria outlined in the Request for Proposals and determined that National Housing Trust, as a prime contractor in partnership with the National Consumer Law Center, is qualified to perform the scope of work.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED: that RIHousing be, and hereby is authorized, to engage National Housing Trust for a fee not to exceed \$65,000 to provide services to evaluate barriers to maximizing the utilization of solar/renewable energy in affordable housing and draft statutory and/or regulatory language to address those barriers, and

RESOLVED: that the Executive Director, Deputy Executive Director, Chief Strategy and Innovation Officer, and Director of Strategic Initiatives and Partnerships, each acting singly, be and hereby are authorized and empowered to negotiate terms, execute contracts, instruments and/or documents, and take any other actions necessary or desirable to carry out the foregoing resolution.

Attachment B

Applicant	Capacity to complete the Scope of Work (max 10pts)	Proposed project approach (max 10pts)	Proposed Fee Structure (max 10pts)	Ability to perform project in timeframe (max 10pts)	Previous work experience (max 10 pts)	Minority status/ affirmative action (max 5 pts)	TOTAL SCORE
National Housing Trust & National Consumer Law Center	9.75	9.75	8.5	8.0	8.25	3.0	47.25