



REQUEST FOR PROPOSALS

Section 8 Hearing Officer Services

Posting Date: September 26, 2023

Response Submission Deadline: 3:00 EST p.m. on October 26, 2023.

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”), Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) seeks proposals from qualified professionals and firms to serve as the administrative hearing officer for Rhode Island Housing’s federal rental assistance programs, including the Housing Choice Voucher Program and certain project-based Section 8 developments.

INSTRUCTIONS

Proposals must be submitted via email to: Michael DiChiaro at mdichiaro@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](#).



RFP/RFQ Title: Section 8 Hearing Officer Services
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)

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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)

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1. Describe your firm and its capabilities. In particular, support your capacity to perform the Scope of Work at Attachment B. Outline the relevant professional experience of the person or persons that will serve as hearing officer, including (i) familiarity with rental assistance and/or other housing programs funded by the U.S. Department of Housing and Urban Development; and (ii) service as an administrative hearing officer.

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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.

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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.

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



RFP/RFQ Title: Section 8 Hearing Officer Services

Respondent Name: _____

- ☐ 5. Identify if you or individuals in your firm have multi-lingual skills and 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.



RFP/RFQ Title: Section 8 Hearing Officer Services
Respondent Name: _____

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

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

Section F. Certifications

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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 4);
- Recommendations by references (as provided in Section B: Experience and Resources, subsection 4);
- 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.

RIHousing may invite one or more finalists to make presentations.

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



RFP/RFQ Title: Section 8 Hearing Officer Services
Respondent Name: _____

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: Michael DiChiaro, mdichiaro@rihousing.com.



RFP/RFQ Title: Section 8 Hearing Officer Services
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 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: Section 8 Hearing Officer Services

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: Section 8 Hearing Officer Services

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 Michael DiChiaro at mdichiaro@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 October 26, 2023, (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



RFP/RFQ Title: Section 8 Hearing Officer Services

Respondent Name: _____

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.

☐ 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: Section 8 Hearing Officer Services
Respondent Name: _____

Attachment B

Scope of Work

I. Services to be Provided

RIHousing seeks to engage one or more qualified firms or individual professionals to serve as RIHousing's administrative hearing officer(s). The hearing officer(s) will preside at informal hearings related to federal rental assistance programs administered by RIHousing, including the Housing Choice Voucher Program, and certain project-based Section 8 developments. 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, the hearing officer(s) may conduct informal hearings related to RIHousing's other 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 hearings must be conducted in accordance with the Rhode Island Administrative Procedures 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 other rental assistance programs must be performed consistent with 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 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 law. The decision shall provide a detailed description of the facts, concise statement of the applicable laws and program rules, an 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.



RFP/RFQ Title: Section 8 Hearing Officer Services

Respondent Name: _____

To be qualified to serve in this capacity, each individual selected as a Section 8 hearing officer must possess at least three 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 firms 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.