

**REQUEST FOR PROPOSALS FOR CONSULTANTS
TO PREPARE A REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

INTRODUCTION

The Fair Housing Implementation Council (FHIC) issues this Request for Proposals (“RFP”) from qualified respondents to produce the FHIC’s 2020 Regional Analysis of Impediments to Fair Housing (“AI”). The AI will address fair housing barriers and solutions as defined by HUD requirements in the seven-county metro area that includes Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties in Minnesota. This work shall be performed, in part, to affirmatively further fair housing and ensure compliance with Title VIII of the Civil Rights Act of 1968, as amended, known as the Fair Housing Act, and to comply with all other applicable laws and regulations, especially Fair Housing regulations associated with HUD’s Community Planning and Development (CPD) funding programs of local government.

This AI Project will be primarily funded by the U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG) funds via its entitlement jurisdictions and is required to comply with all pertinent federal rules and regulations, including, but not limited to, 24 CFR Part 570 and OMB Circulars A122 and A133. Other sources of funding may include local, non-federal funds or other federal dollars not limited to CDBG administration dollars.

DESCRIPTION OF ISSUING AGENCY

The ad hoc Fair Housing Implementation Council (FHIC) was established in 2002 to coordinate efforts of its participating members to comply with their obligations to affirmatively further fair housing throughout the metro area. Most of the funding members administer the federal Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG) and/or Housing for Persons with AIDS (HOPWA) programs. A requirement of these programs is that the administering community must certify to HUD on an annual basis that they will affirmatively further fair housing. In addition to this annual certification, it is required that communities complete an AI every five years and that said AI must be completed in advance of adoption of the five-year Consolidated Plan.

Funding members of the FHIC include the counties of Anoka, Dakota, Hennepin, Ramsey, and Washington, the Community Development Agencies of Scott and Carver Counties, the Metro HRA

(Metropolitan Council), and the cities of Bloomington, Eden Prairie, Minneapolis, Plymouth, Saint Paul, and Woodbury.

As the recipients of federal CDBG, HOME, ESG and HOPWA dollars, the entitlement jurisdictions are required to take steps to affirmatively further fair housing as part of the obligations they assume when they accept these funds. As part of these efforts, the entitlement entities must complete a comprehensive AI to fair housing.

PURPOSE OF AND DEFINING THE AI

The Purpose of the AI is to:

- Serve as the substantive, logical basis of Fair Housing Planning;
- Provide essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates;
- Identify barriers to affirmatively further fair housing and
- Inform HUD on the local fair housing issues in the Twin Cities Metropolitan Area

Respondents must demonstrate a thorough knowledge of fair housing laws and regulations, as well as experience in public sector analysis, project management, and writing. The initial term of the contract is expected to be for a period from approval of the contract through March 31, 2020.

An AI involves:

- A comprehensive review of the jurisdiction's laws, regulations, and administrative policies, procedures, and practices;
- An assessment of how those laws, etc. affect the location, availability, and accessibility of housing, services, commercial and retail development; and
- An assessment of conditions, both public and private, affecting fair housing choice in areas of both low and high opportunity.

Impediments to Fair Housing choice are:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choices and

- Any actions, omissions, or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

The AI must assess the extent to which local policies and practices create or lead to barriers to fair housing through the region in the following topic areas (Public Sector Policy Analysis):

1. Local land use and zoning;
2. Fair and equitable processes regarding affordable housing financing tools (including, but not limited to the local administration of the federal Low Income Housing Tax Credit program (LIHTC), HUD passthrough dollars, local utilization of state or regional housing finance programs, and municipal housing finance programs);
3. Administration of federal Section 8 and public housing programs, as well as other affordable housing that includes public sector ownership or long-term affordability provisions;
4. Local-level housing-related activities or policies that affect protected classes; and
5. Site selection for future housing development or redevelopment.

SCOPE OF WORK

Consistent with the terms and conditions outlined in the RFP, the FHIC requests proposals for an AI and recommendations for appropriate actions to overcome identified impediments. The AI should identify the causes for housing disparities, factors that reduce fair housing choice, the distribution of affordable housing (publicly funded and naturally occurring), displacement that disproportionately affects protected classes, the effects of gentrification on protected classes, integration and segregation, and disparities in access to opportunity as defined by HUD.

The goal of this framework is to provide a better mechanism for HUD grantees to build fair housing goals into their existing planning processes.

The consultant will be primarily responsible for ensuring the AI complies with HUD requirements, project management of the AI process to ensure timely completion, conducting a Public Sector Policy Analysis and Review, and coordinating with information provided by the Metropolitan Council (the Metropolitan Council will be providing an update to demographic, market analysis, and housing affordability data included in the Addendum to the 2014 Regional AI published in May 2017) and Engagement Consultant and incorporating their written materials into the overall AI.

The Public Sector Policy Review must address the public sector's role in causing and/or contributing to fair housing issues. Specifically, the consultant will review the role of public policy in creating, preserving, perpetuating, incentivizing or reducing existing segregations and disparities in the Twin Cities region. Policies under review should include, but are not limited to zoning/land use regulation, affordable housing financial assistance (including LIHTC, housing choice vouchers, and any other source of federal, state, or local housing funds) and public-private programs and partnerships.

Specific Tasks:

1. Responsible for overall project management of the Regional AI;
2. Responsible for compliance with HUD AI requirements (e.g., all protected classes are covered by the AI, all required data, analysis, and recommendations are included).
3. Responsible for organizing the report, incorporating sections completed by Community Engagement consultants or the Metropolitan Council, into the overall AI.
4. Review of the addendum to the 2014 AI, dated May 2017, and incorporation of relevant analytic work rather than creation of new analyses.
5. Conducting and writing a Public Sector Policy Analysis, or summarization/replication of portions of previous Public Sector Analyses to cover:
 - a. Land Use and Zoning for the 22 CDBG entitlement and subrecipient cities, listed in Attachment 3.
 - b. Local business subsidy policies, TIF policies and other applicable fiscal policies using the information from the Department of Employment and Economic Development given that all cities in the State of Minnesota are required to report on business subsidies annually, each April 1.
 - c. Use of the Low Income Housing Tax Credit tool
 - d. Local funding sources that include but are not limited to:
 - i. Housing and Redevelopment Authorities, Economic Development Authorities, and Community Development Agencies
 - ii. General Fund Dollars
 - iii. Affordable Housing Trust Funds
6. In collaboration with separately funded community engagement work, identify emerging national and local trends in fair housing issues and strategies.
7. Coordinate with the FHIC, and the Metropolitan Council to obtain the necessary AI content.

The FHIC reserves the right to reject any or all of the proposals, or any part thereof, submitted in response to this RFP, and reserves the right to waive formalities if such action is deemed to be in the best interest of the FHIC. The FHIC reserves the right to award negotiated contracts to one or more proposers. This RFP is not intended and shall not be construed to commit the FHIC to pay any costs incurred in connection with any proposal or to procure or contract with any firm. The FHIC will only contract with firms that do not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age disability, marital status, sexual orientation, citizenship status or any other status protected by the State of Minnesota or Federal Laws.

SUBMITTAL REQUIREMENTS

Submittals should include the following items, along with other material to demonstrate Qualifications and demonstration of understanding of CDBG, HOME, ESG and HOPWA and related fair housing laws and regulations:

- Proposal for implementing AI
- Assigned staff biographies
- Timeline
- 1 writing sample of similar work accomplished
- Complete budget
- References

Proposal Timeline:

| <u>EVENT</u> | <u>DATE</u> |
|---------------------------------------|--|
| Advertisement of Request for Proposal | May 13, 2019 |
| Deadline to submit questions | May 31, 2019 |
| Proposals Due | June 10, 2019 |
| Applicants Interviewed | 3 rd -4 th week of June 2019 |
| Applicant Selected | 2 nd -3 rd week of July 2019 |
| Draft Report Due | February 3, 2020 |
| Final Report Completed | March 2, 2020 |

REQUIRED QUALIFICATIONS

The contract will be awarded to a highly qualified and responsible consultant. In order to qualify as responsible, a prospective consultant must meet the following standards as they pertain to the Request for Proposal.

- A. The successful bidder must have prior experience with development of AIs. Bidders with a significant record of producing AIs that conform to HUD standards will be given favorable consideration. Additional favorable consideration will be given to bidders that demonstrate a working knowledge of the development and implementation of local governments' housing programs, practices, housing and growth policies, strategies, and zoning/land use regulations to better address segregation and equity in the seven-county metro area and the role of the public sector in contributing to segregation.
- B. The consultant should be qualified to assist in the preparation of appropriate presentations, able to clearly and cogently explain the AI as part of the public participation process, and successfully guide the public discussion.
- C. The consultant should be able to demonstrate the ability to build relationships with communities and organizational leadership from diverse cultural and geographic communities and to effectively partner with community leaders and stakeholders that are participating in the community engagement process. Similarly, the consultant should have experience working with racially, ethnically, linguistically, and socio-economically diverse communities, community engagement processes, and incorporating community comments into policy recommendations.
- D. The consultant should have knowledge and understanding of the historic discriminatory policies in the public and private sectors that intentionally or not intentionally had the effect of segregation and displacement, as well as the legacy of these policies today.
- E. The consultant must be able to comply with the proposed performance schedule for this project. The consultant must also have the necessary experience, organization, technical qualifications, skills, or have the ability to obtain and to manage any subcontractor arrangements.
- F. The consultant must not be debarred from receiving federal contracts pursuant to the provisions of 31 U.S.C. 6101, note, E.O. 12549, E.O. 12689, 48 CFR 9.404, and each agency's codification of the Common Rule for non-procurement suspension and debarment. The FHIC will verify non-debarment status.

- G. The consultant must have all insurance required by the current FHIC Fiscal Agent at the time of award, as well as follow the Standard Assurances and Provisions for Federally Funded Contracts. See Attachments 4, 5 and 6.
- H. Proposals will not be accepted from any entity that has a conflict of interest with any FHIC member. A consultant will be deemed to have a conflict of interest if the consultant or any client that the consultant represents has an interest adverse to any member of the FHIC.

ATTACHMENTS

- 1. FHIC Addendum to the 2014 Regional AI
- 2. FHIC Appendix of the Addendum to the 2014 Regional AI
- 3. FHIC CDBG Entitlements, CDBG Subrecipients and Metro Counties
- 4. Insurance Requirements
- 5. Standard Assurances
- 6. Provisions for Federally Funded Contracts

Written questions may be directed to and proposals submitted to:

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