

REQUEST FOR PROPOSAL

INTRODUCTION

The Fair Housing Implementation Council (FHIC) issues this Request for Proposals (“RFP”) from qualified bidders to produce an Addendum to the FHIC’s 2014 Regional Analysis of Impediments to Fair Housing. The Addendum will specifically address the housing discrimination, barriers to housing choice, and the conditions of segregation and integration in the seven-county area that includes Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties in Minnesota.

The Addendum shall assess the extent to which the following policies and practices and any others, create barriers to housing choice, and reinforce or perpetuate racial and/or national origin segregation throughout the region:

1. Policies and regulatory tools (including zoning ordinances and local land use policies);
2. Affordable housing funding programs (including, but not limited to the Low Income Housing Tax Credit program (LIHTC), federal block grant funds, state and municipal bonding programs);
3. Policies related to the administration of federal Section 8 and public housing programs, and other affordable housing with public sector ownership interests.
4. Housing-related activities and policies affecting affordable housing; and
5. Siting selection policies and practices.

The selected consultant will be asked to consider and address comments about the scope of the consultant’s work received from the Regional Analysis of Impediments Advisory Committee (“RAI Advisory Committee”) housing and civil rights advocates, developers, and other community members and organizations. The consultant will be expected to work with the HUD Technical Assistance Partner (Minnesota Housing Partnership), the RAI Advisory Committee, and FHIC contributing members to present data and analysis in a coherent and readily understood manner.

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 housing market area. Funding members administer federal Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funding, as well as other Fair Housing programs which require them to certify to HUD that they will affirmatively further fair housing through the operation of their housing and community development programs as well as fair housing activities to overcome impediments. The FHIC also has representation by a number of area-wide agencies and organizations interested in affirmatively furthering fair housing.

Funding members of the FHIC include the counties of Anoka, Dakota, Hennepin, Ramsey, and Washington, the Metro HRA (Metropolitan Council), the Community Development Agencies of Scott and Carver Counties, and the cities of Bloomington, Eden Prairie, Minneapolis, Minnetonka, Plymouth, Coon Rapids, Saint Paul, and Woodbury.

SCOPE OF WORK

Consistent with the terms and conditions outlined in the RFP and attachments, the FHIC requests proposals for an Addendum to its 2014 Analysis of Impediments to Fair Housing Choice and recommendations for appropriate actions to overcome identified impediments. The Addendum must consider housing disparities, sources of housing discrimination, barriers to housing choice, barriers to mobility, and displacement experienced by individuals and communities based on race, national origin, color, and other protected classes. The analysis will also include the reasons behind concentrations of any particular race and/or national origin in a particular area. Considerable resources will be available to the consultant including data compilation both generally and in publicly supported housing programs, mapping and graphic presentations of data, and numerous studies, including the 2014 Analysis of Impediments and comments received.

The U.S. Department of Housing and Urban Development (HUD) has released a final rule on affirmatively furthering fair housing (AFFH) with an aim to provide HUD Grantees with clear guidelines to meet their legal obligation under the Fair Housing Act of 1968 to identify and overcome barriers to fair housing.

The FHIC's recently completed Regional Analysis of Impediments to Fair Housing, and this proposed Addendum preceded the AFFH final rule. However, the Addendum must be informed by AFFH Assessment Tool, the HUD AFFH Data and Mapping tool, and the AFFH Rule Guidebook (published December 31, 2015). The consultant should also refer to Metropolitan Council's "Choice Place and Opportunity: An Equity Assessment of the Twin Cities Region" report for an analysis of the range of opportunities in any given area.

Specifically, the analysis should identify the causes for housing disparities, identify high concentrations of people by race and/or national origin and their intersection with areas of high income or poverty, the distribution of affordable housing (publicly funded and naturally occurring), displacement disproportionately affecting protected classes, the effect of gentrification on protected classes, integration and segregation, disparities in access to opportunity, and housing needs based on classes protected by the Fair Housing Act. With the content and the data of the Metropolitan Council's "Choice Place and Opportunity: An Equity Assessment of the Twin Cities Region" as background and a base, the analysis should identify factors that contribute to the creation or perpetuation of fair housing issues and identify strategies to address them, promote fair housing choice and foster inclusive communities that are free from discrimination. The strategies should follow HUD's Assessment of Fair Housing framework, establishing goals with timelines for reaching the goals, specific tools to be used and responsible program participants. The analysis should consider opportunities in Racially Concentrated Areas of Poverty such as social service and capital when considering investing in place decisions. The analysis should also consider factors that reduce fair housing choice, including displacement due

to gentrification and denial of housing choice vouchers. Finally, the analysis should address significant disparities in access to opportunity for any protected class in the region.

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

Links to the new rule and the AFFH Assessment Tool can be found here:

https://www.huduser.gov/portal/affht_pt.html

The proposed Addendum will contain the following:

A. Segregation and Equity Analysis, Housing Discrimination, Barriers to Housing Choice,.

The consultant must carry out a segregation and equity analysis based on the measures identified in the *Fair Housing Planning Guide* and new Assessment Tool. The consultant may rely on data provided by the Metropolitan Council and other reputable sources to assess concentrations of any race, national origin, and other classes protected by the Fair Housing Act. The analysis should also address any intersection between race and/or national origin and the use and availability of Housing Choice Voucher Holders. In addition, the consultant will track the location and numbers of lost affordable units, both subsidized and unsubsidized, and trends in rental housing prices across the region since 2006. Based on data and information from community engagement and the consultant's analysis, the consultant will analyze and identify impediments and provide recommendations, in consultation with the RAI Advisory Committee to overcome such impediments.

B. Local Policy Review: The public sector's role in causing and/or contributing to segregation and barriers to housing choice). The consultant will review the role of public policy in creating, preserving, perpetuating, incentivizing or reducing existing segregation and disparities in the Twin Cities region. Policies under review should include, but are not limited to, zoning/land use regulations, 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.

The consultant will gather information from FHIC member jurisdictions, the HUD Technical Assistance Partner, the RAI Advisory Committee, and their community engagement efforts to inform the local policy review, but will exercise independent judgment to make recommendations to the FHIC for their consideration. Together with these entities and independent analysis, the consultant will assemble and analyze strategies currently employed by communities to address impediments and disparities and further fair housing. The consultant will review local policies throughout FHIC member jurisdictions, including cities within FHIC member counties, that may undermine affirmative efforts including but not necessarily limited to financial assistance preferences (public housing, housing choice vouchers, private development using tax credits, use of CDBG and HOME, etc.) market building and development tools and programs. Issues and recommendations raised during the 2014 AI comment period should be summarized and considered in connection with the local policy review. The consultant will provide the analysis of this data for the AI Addendum, identify any resulting impediments, and recommend strategies for overcoming these impediments to the FHIC member jurisdictions.

Further, the policy review should identify appropriate governmental/non- governmental parties that have the power to address both new impediments raised in the Addendum and prior AI impediments, and the authority of the identified responsible parties to implement the proposed actions. As called for by the AFH Guidebook, consideration should be given to coordinating with local comprehensive plan updates and relevant research on how local government policies and practices impact the cost of development and location of housing.

C. Community Engagement. The HUD Technical Assistance Partner, the RAI Advisory Committee, the FHIC, local stakeholders, developers, and other community organizations experienced in community engagement will plan and hold racially, ethnically, linguistically, and culturally diverse public conversations, conduct surveys, and other culturally appropriate and effective engagement. The consultant will work with the HUD Technical Assistance Partner to prepare presentations and materials for the community engagement events, and will provide additional content as needed. Comments and notes from the public conversations, survey responses, and other community engagement materials will be provided to the consultant. These partners will also provide the demographics of the parties engaged at these community engagement events and other efforts for community input. Attendees will have the option to voluntarily disclose demographic information including race and/or national origin, income range, gender identity, renter or homeowner status, whether the individual identifies as a person with a disability, and whether the individual uses a housing choice voucher. The consultant will compile the data, information, and responses from the engagement sessions to create a summary of barriers to integration and housing choice, including housing discrimination in the region, and identify solutions to combat the discrimination and overcome the barriers to integration. The Consultant will summarize these public participation efforts and comments including the demographic information of the participants. The consultant should interpret and analyze this summary information and incorporate this analysis into the community engagement portion of the report.

D. Proposal Schedule:

EVENT	DATE
Advertisement of Request for Proposal	7/18/2016
Bidder Questions/Technical Assistance	7/25/2016
Proposals Due	8/10/2016
Estimated Contract Award Date	9/9/2016
Draft AI Addendum Due	1/31/2017
Final AI Addendum Due	4/3/2017
Project Completion Date (as established by HUD)	5/15/2017

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 Analyses of Impediments. Bidders with a significant record of producing Analyses of Impediments that conform to HUD standards, or demonstrating experience restoring nonconforming Analyses of Impediments 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. The Technical Assistance Partner will assist the consultant by providing information on the major racial and ethnic populations in the region. The Technical Assistance Provider and the RAI Advisory Committee will also assist the consultant in connecting with the leadership in those communities.

B. The consultant should be qualified to assist in the preparation of appropriate presentations, able to clearly and cogently explain the Regional Analysis of Impediments to Fair Housing Addendum 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 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 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 be an Equal Opportunity Employer.

H. The consultant must have all insurance required by Ramsey County at the time of award.

These insurance requirements are noted as follows:

1. It is the responsibility of the Contractor to purchase and maintain such insurance as will protect the Contractor from claims which may arise out of or result from operations and services of the Contractor under the terms of this Agreement.
2. The Contractor shall purchase and maintain the following coverages:
 - a. Workers' Compensation as required by Minnesota Statutes.
 - b. Declination of Workers' Compensation coverage: In accordance with Minnesota law, the Contractor is not required to carry Workers' Compensation Insurance and the Contractor elects not to purchase the coverage. **(Contractor to sign and date if applicable) Date:**
 - c. If the Contractor is driving on behalf of the County as part of the Contractor's services under this Agreement, auto liability, including hired, owned, and non-owned.
 - d. If the Contractor is providing services directly to clients of Ramsey County, general liability of no less than \$500,000 per claim, \$1,000,000 for any number of claims arising out of a single occurrence. County shall be named as additional insured.
 - e. For medical, architectural and engineering services, professional liability of no less than \$500,000 per claim, \$1,000,000 for any number of claims arising out of a single occurrence. County shall be named as additional insured.
3. Coverage shall remain in effect throughout the term of this Agreement.
4. Nothing in this Agreement shall constitute a waiver by the County of any statutory or common law immunities, limits, or exceptions on liability.

I. 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's 2014 Analysis of Impediments
2. Comments on the 2014 AI
3. Metropolitan Council's "Choice Place and Opportunity: An Equity Assessment of the Twin Cities Region" <http://www.metrocouncil.org/Planning/Projects/Thrive-2040/Choice-Place-and-Opportunity.aspx>
4. Regional Analysis of Impediments Advisory Committee Responsibilities
5. Metropolitan Council Current Task List

Written questions may be directed to and proposals submitted to :

Denise Beigbender, FHIC Fiscal Agent

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