



## REQUEST FOR PROPOSALS

for

### Grievance Hearing Officer Services Roster

(Solicitation # 3758)

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#### ATTACHMENTS:

- Proposal Cover Page
- Section 3 Business Certification
- Section 3 Resident Employment Plan
- SHA Policy L12.9-1 – Grievance Procedure

<b>RFP Issued on:</b>	<b>Proposals Due:</b>
Wednesday, September 12, 2007	OPEN ROSTER – Apply at Any Time

# Seattle Housing Authority

## Request for Proposals (Solicitation No. 3758)

### Grievance Hearing Officer Services Roster

#### **A. INTRODUCTION**

- 1) **General:** The Seattle Housing Authority (SHA) is seeking proposals from qualified professional firms and/or individuals interested in serving as hearing officers who will preside at Grievance Hearings as set forth in SHA Policy L12.9-1 (attached).

The purpose of this Request for Proposals (RFP) is to select the most qualified firms and individuals for placement on a Roster that will be used to select firms / individuals for future assignments. Each firm / individual selected for the Roster will have at a minimum, qualifications and experience necessary to perform the scope of work as described herein, will sign an On-Call Contract for these Services that will not include any specific scope of work, and shall be able to provide the services described in this RFP within a time frame required by SHA.

As work assignments arise, SHA will select a qualified Hearing Officer from the Roster on a rotation basis. Work assignments shall be formalized in a Work Order to the On-Call Contract.

The Seattle Housing Authority may enter into an Interlocal Agreement with another governmental agency or agencies who may use the SHA Consultant Roster solicitation and selection for like work.

The initial term of the Roster to be created by this RFP shall be for three years. At SHA's option, a Change Order may be executed extending each On-Call Contract for up to two additional one-year periods, along with appropriate adjustments in compensation. In submitting for placement on the Roster, the firm understands that there is no guarantee of any dollar amount under any On-Call Contract resulting from this RFP.

- 2) **Seattle Housing Authority Background:** SHA is an independent municipal corporation that provides affordable housing to about 26,000 low-income people in Seattle. SHA owns and operates approximately 5,200 conventional public housing units subsidized by the U.S. Department of Housing and Urban Development (HUD), nearly 1,100 additional units for seniors and people with disabilities as part of the Seattle Senior Housing Program, and almost 900 low- and mixed-income units developed and acquired primarily through the use of debt financing. SHA also administers more than 8,300 HUD-subsidized Housing Choice Vouchers (also known as Section 8), which make it possible for residents with low incomes to live anywhere in the city.

SHA houses nearly 12,000 residents in housing it owns and operates and about 14,000 residents through its Housing Choice Voucher Program. Approximately 8,500 of the residents are children and approximately 4,500 are seniors and people with disabilities.

SHA owns and operates housing in neighborhoods throughout Seattle. These include the four large family communities of New Holly and Rainier Vista in Southeast Seattle, High Point in West Seattle, and Yesler Terrace in Central Seattle.

SHA was established by the City of Seattle under State of Washington enabling legislation in 1939. SHA is governed by a seven-member Board of Commissioners appointed by the Mayor and confirmed by the City Council. The Executive Director is appointed by, and reports to, the Board and is responsible for staff hiring and direction. SHA has approximately 600 employees and a total budget of approximately \$261 million for Calendar Year 2008.

## **B. SCOPE OF WORK**

SHA is soliciting Proposals for Grievance Hearing Officer Services. The selected firms shall have qualifications and experience to perform the tasks related to this Category of Service.

1) **Description of Work** Qualified firms selected for the Roster and assigned work under the Roster will be required to:

- Conduct informal hearings at locations determined by SHA, generally the PorchLight facility located at 907 N.W. Ballard Way, Seattle, WA 98107, or the Central Office located at 120 – 6<sup>th</sup> Avenue N., Seattle, WA 98109.
- Within ten business days after the conclusion of the hearing, prepare a written decision together with the reasons therefore based solely upon information presented at the hearing. The written decision shall present the issues and an analysis of the rules to the issues and conclusion.
- Submit an original hard copy of the written decision to SHA's Grievance Hearings Coordinator.

2) **Detailed Work Requirements** The Hearing Officer shall preside at the hearing and conduct the hearings pursuant to SHA Policy L12.9-1 (attached). The Hearing Officer insures that:

- The resident / program participant is given the opportunity to present evidence and arguments in support of the resident / program participant's position, to controvert the evidence relied upon by SHA and to confront and question all witnesses on whose testimony or information SHA relies.
- The hearing is conducted informally by the hearing officer and oral or documentary evidence pertinent to the facts and issues raised are received without regard to admissibility under the rules of evidence applicable to judicial proceedings.

## **C. INFORMATION TO BE PROVIDED**

To be considered responsive to this RFP and to facilitate evaluations, submittals should address and be organized in the order of the outline given below and include the following information. Please refer to Section E.2) of this RFP for information on Required Number of Copies.

Proposal Contents: The Proposal must:

- Include a cover letter
- Address each of the evaluation criteria noted in Section D
- Provide resume(s)
- Include a list of three references

Submittals should be limited to a total of 3 pages in not less than 11 point type (Proposal Cover Page, Cover Letter, Resume(s) and Section 3 forms are not included in the page limitation.)

### **1) Firm's / Individual's Experience, Qualifications and Knowledge** (relates to Evaluation Criterion 1)

- a) Outline relevant experience of personnel who will serve as hearing officers. To be qualified to respond, firms / individuals must possess at least four years of experience presiding over, or as an advocate in contested administrative proceedings, arbitration, mediation, or other relevant proceedings and. three years experience with landlord/tenant matters, or three years experience with federally funded low-income housing programs and/or the Section 8 Housing Choice Voucher Program.
- b) Outline relevant qualifications of personnel who will serve as hearing officers. To be qualified to respond, firms / individuals must have a bachelor's degree from an accredited university.

*(Relating to items a) and b) above, a law degree from an accredited law school, or a Master's Degree in Public Administration may be substituted for up to two years of work experience.)*

- c) Outline relevant knowledge of personnel who will serve as hearing officers. To be qualified to respond, firms / individuals must have knowledge of State of Washington and City of Seattle Landlord/tenant law, knowledge of federal low-income housing programs and the Section 8 Voucher Program.
- d) Provide a brief professional resume for each person who will serve as hearing officer indicating the extent of his/her experience on related work

### **2) Availability/Project Timeline** (relates to Evaluation Criterion 2)

- a) Describe your ability to perform the required services on an on-call basis, often under very short deadlines, as required by SHA.

### **3) Proposed Hourly Rate** (relates to Evaluation Criterion 3)

- a) Submit your \*"All-Inclusive Hourly Rate" for Grievance Hearing Officer Services. The estimated range of All-Inclusive Hourly Rates is between \$75.00 and \$85.00 per hour.

The minimum payment is for a one hour proceeding. When hearings last longer than one hour, then the time is billed in half-hour increments and rounded up to the half hour. In the event of a No-Show by the party requesting the hearing or if the hearing is cancelled with less than a 24-hour notice, the Hearing Officer will be compensated for one hour.

- b) If SHA requests the Hearing Officer attend training sessions on topics such as the role of the hearing officer, the conduct of hearings or the preparation of hearing decisions, the Hearing Officer will be compensated for the time spent in such training.
- c) Submit your \*‘‘All-Inclusive Hourly Rate’’ for Grievance Hearing Officer Services.

\* The ‘‘All-Inclusvie Hourly Rate’’shall include anticipated costs for your base rate, overhead and/or fringe benefits, profit and any anticipated administrative and/or non-salary direct costs for performing these services.

**4) References (not included in Evaluation Criteria)**

- a) Provide three recent references (agency or buisness name, contact person, address, telephone number and e-mail address if available) who may be contacted concerning your performance on this type of service.

**D. CONSULTANT EVALUATION CRITERIA**

Submittals will be evaluated based on the criteria listed in this section. In preparing your proposal to SHA, it is important to clearly demonstrate expertise in the areas described in this document.

You are encouraged to identify and clearly label in your proposal how each criterion is being fully addressed. Evaluation of responses to this RFP will be based only on the information provided in the proposal, and if applicable, interviews, and reference responses. SHA reserves the right to request additional information or documentation from you regarding your submittal documents, personnel, financial viability, or other items in order to complete the selection process. If you choose to provide additional materials beyond those requested, those materials should be included in a separate section of the proposal. In submitting, you agree that any costs or prices proposed shall be valid for a minimum of 90 days from the date of the proposal.

The following criteria with a point system of relative importance with an aggregate total of one hundred points will be utilized to evaluate each proposal:

<b>Evaluation Criteria</b>		<b>Weighting (Max. Points)</b>
1	<u>Relavent Experience, Qualifications and Knowledge</u> of personnel who will serve as hearing officers	50
2	<u>Availability / Project Timeline:</u> a) Ability to perform the required services on an on-call basis, often under very short deadlines, as required by SHA	25
3	<u>Proposed All-Inclusive Hourly Rate</u>	25
<b>Maximum Total Points</b>		<b>100</b>

## **E. SUBMISSION REQUIREMENTS**

- 1) **Due Date and Place For Submission of Proposals:** At any time during the term of the Roster, SHA will accept proposals for placement on the Roster that will be evaluated based on the evaluation criteria contained herein, as time allows.

All Proposals should be clearly marked when delivered or mailed. *NOTE: A faxed or e-mailed Proposal is not acceptable.*

Upon receipt of each proposal, SHA's Purchasing Division will date-stamp it to show the exact time and date of receipt. Upon request, Purchasing will provide the proposer with an acknowledgment of receipt. All proposals received will become the property of the Seattle Housing Authority and will not be returned to the firm.

- 2) **Required Number of Copies:** Sealed proposals (**one original and four copies**) must be received at SHA's street address below. All Proposals should be clearly marked when delivered or mailed. Proposals sent by U.S. Mail should be addressed to the P.O. Box. Faxed or e-mailed submittals will not be accepted.

Seattle Housing Authority  
Purchasing Division  
Attention: Don Tucker  
120 Sixth Avenue North  
P.O. Box 19028  
Seattle, Washington 98109-1028

The original of each of the forms indicated below must also be completed and submitted with the original proposal only. (Description of the Section 3 forms is found in Section G.2. below.) Do not send these forms with the copies.

- Section 3, Business Certification Form
- Section 3, Resident Employment Plan

- 3) **Rights Reserved by SHA:** SHA reserves the right to waive as an informality any irregularities in submittals and/or to reject any or all proposals.

## **F. SELECTION PROCESS**

All responses to this RFP that are received will be screened for eligibility. As time permits, an evaluation panel will rate eligible proposals, according to the criteria listed in Section D. above, and may conduct reference checks as part of the process. If there is insufficient information, SHA reserves the right to request additional information, and to interview firms to discuss their proposal.

Based on its evaluation, the panel will make a recommendation to SHA's Executive Director (or other personnel as may be designated) to place qualified individuals/firms on a Roster. As work assignments arise, SHA will select a qualified Hearing Officer from the Roster on a rotation basis. Work assignments shall be formalized in a Work Order to the On-Call Contract.

Any protest of the selection process shall be resolved in accordance with SHA's Procurement Policies, which may be reviewed at the following web site address: <http://www.seattlehousing.org/business/info/Policies/CurrentAdoptedProcurementPolicies.doc>

## **G. ADMINISTRATIVE INFORMATION**

- 1) **Minority-owned and Women-owned Business Enterprises:** SHA strongly encourages minority-owned and women-owned businesses, socially and economically disadvantaged business enterprises, HUD Section 3 businesses, and small businesses to submit a proposal, to participate as partners, or to participate in other business activity in response to this RFP.
- 2) **Section 3 Requirements:** Section 3 of the Housing and Urban Development Act of 1968 (hereinafter "Section 3") requires SHA to the greatest extent feasible to provide employment opportunities to Section 3 residents. Section 3 residents include residents of SHA communities and other low-income residents of Seattle. Each proposer is required to submit with their proposal a Resident Employment Plan that will result in hiring Section 3 residents to perform the work contemplated by this RFP, and a Section 3 Business Certification form. The following language regarding Section 3 will be included as part of the contract to be executed based on this RFP.
  - A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
  - B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
  - C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers representative of the contractors commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
  - D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontractor in this section 3 clause, upon a

finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractors obligations under 24 CFR part 135.
  - F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
  - G. With respect to work performed in connection with Section 3-covered Indian Housing Assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this Contract that are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).
- 3) **Basic Eligibility:** The successful firms / individuals must be licensed to do business in the State of Washington and must have a state Unified Business Identifier (UBI) number. In addition, the successful firms / individuals must not be debarred, suspended, or otherwise ineligible to contract with SHA, and must not be included on the General Services Administration's "List of Parties Excluded From Federal Procurement and Nonprocurement Programs" or the Department of Housing and Urban Development's "Limited Denial of Participation" list.
  - 4) **Payment Requirements:** Firms / individuals should be aware that SHA will only make payments on the Work Orders issued under this RFP after the work being billed has been completed. No advance payments will be made to the firms / individuals, who must have the capacity to meet all project expenses in advance of payments by SHA.
  - 5) **Utilization of Selected Firms / Individuals:** SHA does not guarantee utilization of contracts resulting from this RFP. Actual utilization will be based upon demand for services or other factors deemed important to SHA. Any work under a Roster Contract will be by Work Order to that Roster Contract.
  - 6) **Documents Produced:** All documents and products created by the firm / individual under any Work Order assignment shall become the exclusive property of SHA.

