



# **CITY OF RICHMOND RENT PROGRAM**

**Richmond Fair Rent, Just Cause for Eviction, and  
Homeowner Protection Ordinance (RMC 11.100)**

## **REQUEST FOR PROPOSALS FOR LEGAL SERVICES**

**November 19, 2018**

**CITY OF RICHMOND RENT PROGRAM  
REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR LEGAL  
SERVICES**

---

The City of Richmond Rent Program is soliciting proposals from legal service providers to provide legal assistance to eligible participants specifically with regard to the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance and the Relocation Ordinance, codified in Chapters 11.100 and 11.102, respectively, of the Richmond Municipal Code, as well as with other rent-related ordinances that the City Council may adopt in the future, resolutions adopted by the City Council to implement rent-related ordinances and regulations, and rules and policies that the Rent Board adopts to implement the rent-related ordinances and resolutions.

This Request for Qualifications and Proposals may be obtained online at [www.richmondrent.org](http://www.richmondrent.org) or by visiting the Rent Program office, located on the second floor of 440 Civic Center Plaza, Richmond, CA 94804. One (1) original and five (5) copies of the sealed proposals must be submitted to the Rent Program Office in hard copy no later than 12:00 PM on Friday, December 14, 2018, at the following address:

**City of Richmond Rent Program  
Attn: Paige Roosa  
440 Civic Center Plaza, Suite 200  
Richmond, CA 94804**

The initial contract shall extend for the duration of the 2018-19 Fiscal Year and shall not exceed the amount for legal services adopted by the Rent Board in the Fiscal Year 2018-19 Rent Program Budget.

Any questions or requests regarding this Request for Qualifications and Proposals may be submitted in writing to Paige Roosa at [paige\\_roosa@ci.richmond.ca.us](mailto:paige_roosa@ci.richmond.ca.us). Written responses to inquiries received by 5:00 PM on Friday, December 7, 2018, will be posted at [www.richmondrent.org](http://www.richmondrent.org).

## INTRODUCTION

---

The following provides general information and instructions for applying for funds from the City of Richmond Rent Board for the services described below to be performed in Fiscal Year (FY) 2018-2019. This document contains the requirements that all applicants must satisfy and/or complete. All prospective service providers must complete the application that can be obtained online at [www.richmondrent.org](http://www.richmondrent.org) or by visiting the Rent Program office, located on the second floor of 440 Civic Center Plaza, Richmond, CA 94804.

Through this Request for Proposals (RFP), the City of Richmond Rent Board (Rent Board) invites qualified organizations to submit proposals to provide legal services to low-income (LI) Richmond residents subject to the rights and responsibilities conferred by the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance. The goal of the legal services for LI Richmond Residents is to promote neighborhood and community stability by providing legal counseling and legal services to LI Richmond Residents. Legal services must relate to the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (Rent Ordinance), other rent related ordinances and resolutions, and regulations, rules and policies that the Rent Board adopts. These legal services may include, but are not limited to, providing at least 0.5 FTE of an attorney dedicated to Richmond cases, offering housing clinics in the City of Richmond available to all low-income community members, regardless of citizenship status, assisting community members with the completion of Rent Adjustment Petitions, advocating for Richmond residents through the issuance of written correspondence, Rent Adjustment Petitions, and affirmative action cases, and coordinating with peer legal service providers and the Rent Program to provide comprehensive support to Richmond community members.

Funding for the program will be provided for the 2018-19 Fiscal Year with the option to extend at the Rent Board's sole discretion and contingent upon funding availability and performance. The Rent Board's application process is based on the fiscal year calendar, July 1 to June 30. The Rent Board expects the agreements to be executed by January 10, 2019. Agreements for the first year may be executed for a five- or six-month period, ending June 30, 2019 with the possibility of renewing the contract for additional years. The maximum award for an agreement spanning January 10, 2019 through June 30, 2019, is \$37,500.<sup>1</sup>

The selected provider(s) will be required to enter into an agreement with the Rent Board containing the terms and conditions set forth in Attachment A: Proposed Agreement. If you have any exceptions to the standard terms and conditions you must note them in your proposal; otherwise, none will be considered or granted.

---

<sup>1</sup>Please note the amount shown is the maximum possible award amount for one half of the fiscal year. If the contract is extended for the full 2019-20 fiscal year, the award amount will be doubled.

To the extent that the requested funding exceeds the amount available, the Rent Board retains the right to negotiate the final funding amount. If it is determined that additional funding is available, the Rent Board has the right to increase one or both programs' maximum allocation amount.

Providers are expected to have an outcome-oriented approach with a strong emphasis on concrete, measurable results. It will not be enough to simply say that activities will be conducted. Rather, funded agencies will be expected to demonstrate the long-term impact that these activities will have on Richmond community members.

The Rent Board may elect to make a limited number of awards to individual agencies that can provide the range of requested services under each program. The Rent Board will consider *consortium* proposals if each consortium agency is essential to the full implementation of the proposed program. Agencies may choose to enter into a limited partnership or subcontract with other agencies in order to provide a full range of services.

*Example of an acceptable consortium:* Agency "A" provides education and outreach services and Agency "B" provides legal assistance.

*Example of an unacceptable consortium:* Agency "A" and "B" both offer the same services, but in different areas of the City.

The Rent Board reserves the right to accept or reject any item or group(s) of items of a response/proposal. The Rent Board also reserves the right to waive any informality or irregularity in any proposal. Additionally, the Rent Board may, for any reason, decide not to award an agreement as a result of this RFP or cancel the RFP process. The Rent Board shall not be obligated to respond to any proposal submitted, nor be legally bound in any manner by submission of the proposal. The Rent Board is not required to accept the proposal with the lowest price. Responses will be evaluated to determine the most advantageous proposal based on a variety of factors as discussed herein. The Rent Board reserves the right to negotiate with any or all proposers on cost proposals, assigned staff and program deliverables. If additional funding becomes available, the Rent Board reserves the right to award the additional funding under this RFP as it sees fit.

Statistical information contained in this RFP is for informational purposes only. The Rent Board shall not be responsible for the complete accuracy of said data. The Rent Board reserves the right to verify any information provided during the RFP process and may contact references listed or any other persons known to have contracted with the proposer. The Rent Board reserves the right, without limitation, to execute an agreement with one or more proposers based solely on the proposal and any approved additions, and to enter into a separate agreement with another agency in the event that the originally selected proposer defaults or fails to execute an agreement with the Rent Board.

## BACKGROUND

---

The City of Richmond Rent Board was established following voter approval of Measure L in November 2016. The Richmond Rent Board is charged with implementation of the Rent Ordinance. Approximately 20,000 rental units throughout the City of Richmond are covered by the Rent Ordinance, and over 4,000 of these units receive some form of governmental subsidy (e.g. Section 8, Low Income Housing Tax Credit, Section 202, etc.) Additional information about Richmond's rental housing stock and Richmond Rent Program is contained in the 2017-18 Rent Program Annual Report (<http://www.ci.richmond.ca.us/DocumentCenter/View/47014/2017-18-Annual-Report>).

The Rent Ordinance, found in Richmond Municipal Code Section 11.100, and its companion Regulations (<http://www.ci.richmond.ca.us/3476/Laws-and-Regulations>) aims to “promote neighborhood and community stability, healthy housing, and affordability for renters in the City of Richmond by controlling excessive rent increases and arbitrary evictions to the greatest extent allowable under California law, while ensuring Landlords a fair and reasonable return.” To achieve its purported goal, the Rent Ordinance regulates both rents and evictions for those rental units that are covered by the Rent Ordinance's provisions.

Some of the Rent Ordinance's integral provisions do the following: 1) Limits annual rent increases to one hundred percent (100%) of the percentage increase in the Consumer Price index as reported and published by the U.S. Department of Labor, Bureau of Labor Statistics, for the 12 month period ending as of March of the current year; 2) Authorizes both landlords and tenants to submit petitions with the Richmond Rent Program seeking either an additional increase in rent due to a lack of Fair Return or decrease in rent due to an inhabitable premise or decrease in services; 3) Eliminates no cause evictions and requires landlords have at least 1 of the 8 Just Cause basis for eviction as codified in Richmond Municipal Code Section 11.100.050. Just Cause is a provision of law that prohibits landlords from taking any “action to terminate any tenancy, including but not limited to, making a demand for possession of a Rental Unit, threatening to terminate a tenancy verbally or in writing, serving any notice to quit or other eviction notice, or bringing any action to recover possession or be granted recovery of possession of a Rental Unit” unless a landlord pleads and proves a Just Cause basis for the termination of tenancy and compliance with the Rent Ordinance; 4) Prohibits retaliatory evictions and establishes tenants' rights to relocation benefits when facing “no-fault” Just Cause eviction; and 5) Establishes a Rent Board to execute and administer the provisions of the Rent Ordinance through rules, regulations, resolution, contracts, and legal action.

Although the Richmond Rent Program considers the above provisions integral, all of the provisions of the Rent Ordinance are important and must be adhered to. Familiarity with the entire Rent Ordinance and accompanying Rent Board Regulations is essential in understanding both the intricacies and interplay between the Rent Ordinance and other existing law.

## REQUESTED SERVICES

---

Through a contract, the Richmond Rent Board seeks to provide funding for legal services to Low Income Richmond Residents for housing related issues in connection with the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, other rent related resolutions, and regulations, rules and policies that the Rent Board adopts. For the purposes of this contract, Low Income shall be defined as those households meeting the definition of Low Income in Contra Costa County as determined by HUD guidelines.<sup>2</sup> The services must provide the following, at a minimum:

- Provide legal advice and advocacy to qualifying community members, regardless of citizenship status, concerning the rights and responsibilities conferred by the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, Relocation Ordinance, and related policies. Providers shall maintain records of the number of individuals served, the specific types of services provided, and deliverables created on the community member's behalf, and transmit this information to the Rent Program monthly.
- Assist and advise qualifying community members on the completion of Rent Adjustment Petitions, including assembling relevant supporting information and building a strong case for consideration by the Rent Program Hearing Examiner.
- Coordinate with peer legal service providers to provide comprehensive support to qualifying community members to ensure community members in need of services which the applicant is not able to provide, are successfully referred to agencies who are able to provide such services.

---

<sup>2</sup> A low income household is defined by HUD as earning at or below 80% of the Area Median Income, calculated based on the Oakland-Fremont, CA HUD Metro FMR Area. For more information, please see <https://www.huduser.gov/portal/datasets/il/il2018/2018summary.odn>.

## **ELIGIBILITY REQUIREMENTS**

---

All proposers must be a public entity or a non-profit organization 501(c)(3). All non-profit organizations applying for funding must meet the following Organizational Requirements:

1) **Governing Body**

Governing of the organization should be vested in a voluntary Board that meets at least quarterly.

2) **Personnel**

The organization must provide for adequate administration of the services described in this RFP to ensure the delivery of services. The organization must have a designated executive director or equivalent position. If the organization is awarded a contract, the organization must provide a copy of its Personnel Policies and Procedures, which must include policies prohibiting discrimination, conflict of interest, grievances procedures, and affirmative hiring practices.

3) **Non-Discrimination**

Each organization responding to this RFP must assure the Rent Board that it will conduct its business in compliance with the non-discrimination requirements of the City of Richmond, State, and Federal governments, as applicable.

4) **Prohibition of Gifts**

The Rent Board seeks to ensure that it evaluates proposals in a fair and unbiased way. To that end, wherever possible the Rent Board seeks to eliminate actual bias and its semblance. To avoid even the appearance of impropriety and bias, proposers should not offer any gifts or souvenirs, even of minimal value, to Rent Board members or Rent Program Staff members. Any offer of any gift, regardless of the amount, shall constitute a material breach of the Agreement by the successful proposer.

5) **Conflict of Interest**

Each proposer is expected to have a policy or bylaws describing and prohibiting conflicts of interest. Accordingly, each proposer shall avoid all conflict of interest, or appearance of conflict of interest, in performance under contract with the Rent Board. Any proposer that has any conflict or appearance of conflict, including performing services in exchange for consideration for any sitting Board Member, shall report such a conflict in the response to this RFP. Any conflict or appearance of conflict discovered after this contract is awarded, must be immediately reported to the Rent Board.

6) **Accounting**

Proposers shall maintain accounting records which are in accordance with generally accepted accounting practices.

7) **Insurance**

Proposers must possess liability insurance.

## **TIMELINE AND PROCESS**

---

The following is the anticipated timeline related to this RFP. Please note that this timeline may be changed if the Rent Board deems it necessary. Any changes will be posted to the Rent Program's website at [www.richmondrent.org](http://www.richmondrent.org). In the event of a change, Rent Program staff will notify the proposers via email. The Rent Board will make every effort to adhere to the following anticipated schedule:

<b>PROPOSED DATE</b>	<b>ACTION</b>
Monday, November 19, 2018	Release of RFP
Friday, December 7, 2018, 5:00 PM	Last day to submit questions regarding the RFP; responses to questions received by this date will be posted at <a href="http://www.richmondrent.org">www.richmondrent.org</a>
Friday, December 14, 2018, 12:00 PM	Due date for responses to RFP
Week of December 17, 2018	Panel reviews proposals and submits recommendation(s) to Executive Director; Executive Director selects desired agency(ies)
Week of December 31, 2018	Selected agency(ies) is/are notified
Week of January 7, 2019	Agreement is negotiated and executed



## DEADLINE TO SUBMIT RFP QUESTIONS

The Richmond Rent Program understands that some may have questions regarding this RFP. Proposers may submit written questions to this RFP via email until 5:00 P.M. on Friday, December 7, 2018. All questions must be emailed to Paige Roosa at [paige\\_roosa@ci.richmond.ca.us](mailto:paige_roosa@ci.richmond.ca.us). To ensure fairness, the Richmond Rent Program intends to respond to the submitted question through an addendum posted on the Richmond Rent Program's website at [www.richmondrent.org](http://www.richmondrent.org). The Richmond Rent Program reserves the right to respond to these questions in a limited fashion or not at all. Please note that the Richmond Rent Program does not intend to address specific questions but rather clarify issues regarding the substance of this RFP.

## SUBMISSION INSTRUCTIONS

Respondents to this Request for Proposals and Qualifications are required to submit by mail or personal delivery one (1) original and five (5) copies of their proposal no later than **Friday, December 14, 2018, at 12:00 PM** to:

City of Richmond Rent Program  
Attn: Paige Roosa  
440 Civic Center Plaza, Suite 200  
Richmond, CA 94804

The proposals must be in a sealed envelope marked with the respondent's name, address, and telephone number. **No grace period will be allowed for missing components to be submitted. No additional submissions or supplements will be accepted after December 14, 2018. Any application or supplemental information that is late will not be considered. The Rent Program reserves the right to extend the time for receipt of proposals.**

## EVALUATION OF PROPOSAL

The Richmond Rent Program will create a Rent Program Legal Services Review Committee to evaluate timely submitted proposals. The Committee will be comprised of Richmond Rent Program staff members. All proposals should provide sufficient and concise information to permit sufficient review and adequate evaluation. Proposals shall be reviewed in three general phases:

1. All proposals will be evaluated based on the proposal submission requirements and criteria.
2. The Rent Program Legal Services Review Committee shall rate and compose a short list of proposers based on the submission requirements and criteria.
3. Fee proposals will be reviewed and evaluated.

The Richmond Rent Program will adhere to the below criteria when evaluating any and all proposals.

<b>TECHNICAL EVALUATION CRITERIA</b>	<b>ALLOCATED POINTS</b>
<p><b>Experience with local, state, and federal laws.</b> Demonstrated professional qualifications, education, and training. Must have at least five (5) years of minimum previous experience with local and state tenants and landlord laws. Preference given to those organizations or firms with experience in jurisdictions with rent control/stabilization and/or just cause for eviction policies, as well as agencies familiar with subsidized housing policies and programs.</p>	35
<p><b>Ability to respond to Rent Program and Richmond community member needs.</b> Demonstrated ability to provide high quality services to a diverse population in the City of Richmond in terms of citizenship status, languages spoken, and financial status. The highest scores will be awarded to those agencies with capacity to provide services within the City of Richmond or in its near vicinity. This category includes the extent to which additional resources will be provided if a contract with the Rent Program is awarded, specifically in terms of the number and titles of staff anticipated to be employed.</p>	35
<p><b>Demonstrated commitment to producing and measuring outcomes.</b> The selected agency will be required to report monthly to the Rent Program on the number of community members served and a brief description of the assistance provided and outcome (if applicable.)</p>	30

The proposal(s) with the highest score(s) will not automatically be awarded a contract. In making the final selection of organization(s) and funding levels, the Executive Director of the Richmond Rent Program will consider the Committee’s scoring, proposers’ past performance, if applicable, award amount requested, and the Richmond Rent Board’s overall need. The fee proposal, although secondary to the technical evaluation criteria consideration above, will be considered in determining the proposals most advantageous to the Rent Board’s goals; however as technical evaluation points become more equal, price may become a determining factor. While the fee proposal has no numerical weight, it is criterion in the overall evaluation of proposals. The fee proposal must be considered reasonable. A contract may be awarded to a proposer who does not submit the lowest fee proposal. The amount to be awarded is in the full discretion of the Executive Director of the Rent Program, who will at the very least consider funding availability and the City of Richmond’s needs before selecting an amount to award.

## NOTICE OF AWARDED CONTRACT

All applicants will be notified via email of the Richmond Rent Board's decision to award a contract to one or more prospective service providers. The notice shall state the name of the organization(s) who was/were awarded the contract, the amount of funds awarded, and the right of any proposer to appeal. Notice of the awarded contract shall be given no later than January 10, 2019. If a proposer chooses to appeal, the appeal must be made in writing and mailed to City of Richmond Rent Program, 440 Civic Center Plaza, Suite 200, Attn: Paige Roosa, Richmond, CA 94804.

All appeals must be submitted within ten days from the date that the Notice of Awarded Contract is emailed to the proposers. The appeal must contain the name, street address, email address, and signature of the person submitting the appeal. The appeal must be based on either 1) abuse of process by members of the Rent Program Legal Services Review Committee; 2) misconduct by members of the Rent Program Legal Services Review Committee; and/or 3) abuse of discretion by members of the Rent Program Legal Services Review Committee. All appeals must be accompanied by competent evidence for adequate disposition. Failure to plead and substantiate one or more of the above allegations will result in the denial of the appeal. The Executive Director will respond to all appeals within 14 business days. The Executive Director's decision is final and there is no further appeal process concerning their decision after it is rendered.

## **PROPOSAL SUBMISSION REQUIREMENTS AND CRITERIA**

---

The proposal shall include the following:

**I. Letter of Interest [750 WORD MAXIMUM]**

A cover letter introducing the government entity or non-profit organization, providing organizational details, the amount request, an explanation of the desire to provide services to the Richmond community, and the name, title, address, telephone number, and email of the program contact person.

**II. Government Entity or Non-Profit Organization Information**

Provide the date the entity or non-profit organization was established and the number of consecutive years the applicant has been providing legal services. Applicant shall also provide the name and address of all municipal organizations or programs to which the applicant is providing legal services in the San Francisco Bay Area and any significant municipal or public entity clients located elsewhere.

**III. Organizational Capacity and Experience**

- a. Please Describe in detail how you, or your firm/organization will provide services to Tenants and Landlords as well as your, or the firm or organization's expertise and ability to provide services in the following areas:
  - i. Tenant and landlord law in the State of California;
  - ii. Applicable Federal and State regulations related to rental housing;
  - iii. Local rent control and just cause for eviction ordinances, including the City of Richmond's Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance;
  - iv. Providing services to diverse populations, in terms of native language, socioeconomic status, race, ethnicity, gender, and religion; and,
  - v. Court and administrative hearing appearances
  
- b. Please describe your agency's familiarity and ability to serve residents of public housing, tenants with Section 8 Housing Choice Vouchers, residents of Low Income Housing Tax Credit properties, and other subsidized housing programs.
  
- c. Provide the names and resumes of any key personnel that will be working directly with the Rent Program, Board, and Richmond community members.

**IV. Goals and Outcomes**

Please propose the agency's goals with respect to this contract, if awarded. How will you measure your impact?

**V. Narrative: Service Approach**

Please respond to each of the following questions:

- a. What is your experience serving undocumented immigrants and low income residents with respect to rental housing issues? How would your organization ensure the same level of service regardless of citizenship status?
- b. Describe any limitations or criteria your organization would employ to determine who is eligible to receive legal services (e.g. income limits, citizenship requirements, affiliation, etc.)
- c. If awarded this contract, would your agency allocate funds to hire additional staff and obtain additional resources, as opposed to relying on existing resources?
- d. Does your organization have capacity to translate documents into multiple languages and communicate with Tenants and Landlords in multiple languages?
  - i. If so, please indicate those languages the agency is able to communicate in fluently (orally and/or in writing)

**VI. Supporting Documents**

Please attach the following information to your proposal:

1. Staff resumes for filled positions, chief administrator, and chief fiscal officers
2. Organizational Chart
3. Program outreach / marketing materials
4. Performance measurement tools (surveys, pre and post-program questionnaires, etc.)
5. Most current Proof of Liability Insurance (all subcontractors must be listed on policy)
6. Articles of Incorporation
7. By-Laws
8. Policy & Procedures Manual (include policies prohibiting discrimination, grievance procedures, and conflict of interest)
9. List of Board of Directors (include occupation & years of service as a board member)
10. Letter from IRS evidencing current 501(c)(3) Tax-Exempt Status
11. Letter from the Franchise Tax Board evidencing current Tax-Exempt Status.

## OTHER TERMS AND CONDITIONS

---

### I. Rent Program Options.

The Rent Program reserves the right to cancel this RFP, or to reject, in whole or in part, any and all proposals received in response to this RFP. The Rent Program, upon its determination, further reserves the right to waive any informality or irregularities in any proposals received, if it is in the public interest to do so. The determination of the criteria and process whereby proposals are evaluated, the decision as to who shall receive a contract award, or whether or not to award, shall be made as a result of the RFP, shall be at the sole and absolute discretion of the Rent Program.