

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: December 18, 2019

Final Decision Date Deadline: December 18, 2019

STATEMENT OF THE ISSUE: Staff members are requesting approval from the Rent Board to proceed with the issuance of a Request for Proposals for financial consulting services to obtain (1) short- and long-term financial projections for the Rent Program agency; (2) recommendations specific to the agency's goal of building 17% operating reserves by the close of the 2020-21 fiscal year as recommended by the Government Finance Officers Association; and (3) recommendations concerning financial and budgetary best practices, specifically as it relates to the preparation of an annual budget and fee study. These deliverables are anticipated to aid in the Board's adoption of the Fiscal Year 2020-21 budget in Spring 2020.

INDICATE APPROPRIATE BODY

- | | | | | |
|---|---|--|--|---|
| <input type="checkbox"/> City Council | <input type="checkbox"/> Redevelopment Agency | <input type="checkbox"/> Housing Authority | <input type="checkbox"/> Surplus Property Authority | <input type="checkbox"/> Joint Powers Financing Authority |
| <input type="checkbox"/> Finance Standing Committee | <input type="checkbox"/> Public Safety Public Services Standing Committee | <input type="checkbox"/> Local Reuse Authority | <input checked="" type="checkbox"/> Other: <u>Rent Board</u> | |

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|---|--|--|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Regulation | <input checked="" type="checkbox"/> Other: <u>Consent Calendar</u> |
| <input type="checkbox"/> Contract/Agreement | <input type="checkbox"/> Rent Board As Whole | |
| <input type="checkbox"/> Grant Application/Acceptance | <input type="checkbox"/> Claims Filed Against City of Richmond | |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Video/PowerPoint Presentation (contact KCRT @ 620.6759) | |

RECOMMENDED ACTION: DIRECT staff to negotiate and execute a contract for financial consulting services in an amount not to exceed \$20,000 for the second half of the 2019-20 fiscal year (January 2020 – June 2020) – Rent Program (Nicolas Traylor/Paige Roosa 620-6564).

AGENDA ITEM NO:
F-6.



AGENDA REPORT

DATE: December 18, 2019

TO: Chair Maddock and Members of the Rent Board

FROM: Nicolas Traylor, Executive Director
Paige Roosa, Deputy Director

SUBJECT: CONTRACT FOR FINANCIAL CONSULTING SERVICES

STATEMENT OF THE ISSUE:

Staff members are requesting approval from the Rent Board to proceed with the issuance of a Request for Proposals for financial consulting services to obtain (1) short- and long-term financial projections for the Rent Program agency; (2) recommendations specific to the agency's goal of building 17% operating reserves by the close of the 2020-21 fiscal year as recommended by the Government Finance Officers Association; and (3) recommendations concerning financial and budgetary best practices, specifically as it relates to the preparation of an annual budget and fee study. These deliverables are anticipated to aid in the Board's adoption of the Fiscal Year 2020-21 budget in Spring 2020.

RECOMMENDED ACTION:

DIRECT staff to negotiate and execute a contract for financial consulting services in an amount not to exceed \$20,000 for the second half of the 2019-20 fiscal year (January 2020 – June 2020) – Rent Program (Nicolas Traylor/Paige Roosa 620-6564).

FISCAL IMPACT:

The Fiscal Year 2019-20 Rent Program budget, adopted by the Rent Board on March 20, 2019, allocates \$20,000 for financial consulting services to obtain the requested deliverables. Staff members anticipate awarding one contract to a qualified service provider in a total contract amount not to exceed the allocated \$20,000.

DISCUSSION:

Background

During the fiscal year 2019-20 budget adoption process, the Rent Board requested the preparation of financial projections to illustrate the short- and long-term fiscal impact of increasing the number of positions (FTEs) employed by the Rent Program agency.

Rather than relying on existing staff resources in the City's Finance Department, the Finance Director and City Manager recommended that the Rent Board enter into a contract with a financial services provider that would be better equipped to advise the Board on financial issues specific to the Rent Program agency. The anticipated costs of such services were therefore included in the Board's adopted Fiscal Year 2019-20 budget.

Staff members are requesting approval from the Rent Board to proceed with the issuance of a Request for Proposals for financial consulting services to produce financial projections, provide recommendations specific to the agency's goals of building 17% operating reserves by the close of the 2020-21 fiscal year, and provide recommendations regarding financial and budgetary best practices, specifically as it relates to the preparation of an annual budget and fee study.

Request for Proposals for Collection Agency Services

The City of Richmond Rent Board (Rent Board) is soliciting proposals from qualified firms and agencies to provide financial consulting services for the Rent Board agency. The Rent Board desires to enter into an agreement for professional services with a qualified firm or agency who can demonstrate competency and experience in (1) developing 2, 5, and 10-year financial projections; (2) providing recommendations to the Rent Board to achieve long-term financial sustainability of the Richmond Rent Program ("Rent Program") agency; and (3) providing recommendations regarding financial and budgetary best practices. The Rent Board seeks an experienced and effective Contractor that will be able to work with Rent Board staff to develop financial projections and recommendations to inform the Rent Board in their adoption of the Fiscal Year 2020-21 budget in April 2020.

The requested scope of services is detailed on page 7 of the draft Request for Proposals. At a minimum, the proposal must include professional services and dedicated personnel to perform the following scope of services by March 31, 2020:

- 1) Develop and present two, five, and 10-year financial projections of both revenues, expenditures, and reserves for the Rent Program agency, specifically as they relate to collection of the Rental Housing Fee;
 - a. This shall include monthly projections showing the length of time during which the Rent Program would be required to loan money from the General Fund due to cash deficits

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- 2) Provide recommendations on how to meet the Rent Program's goal of building 17% operating reserves by the close of the 2020-21 fiscal year, and how best to achieve long-term financial stability in a manner that is consistent with all applicable laws and regulations including but not limited to Section 50076 of the California Government Code; and,
- 3) Provide recommendations regarding financial and budgetary "best practices" to be utilized by the Rent Board and Rent Program staff members, specifically as it relates to the preparation of an annual budget and fee study for approval by the Rent Board.

The proposed Request for Proposals is unrelated to the solicitation of qualified firms to conduct a financial audit of the Rent Program agency. It is anticipated that the funds for such an audit will be included in the budget presented to the Board for the 2020-21 fiscal year.

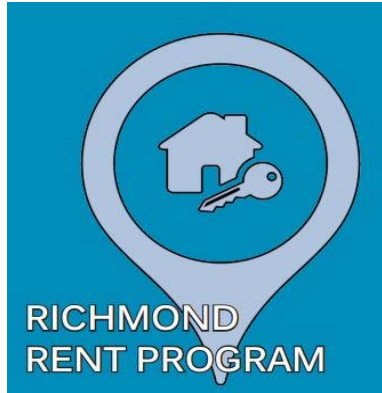
Proposed Timeline and Next Steps

Staff propose the following timeline and next steps with regard to the issuance of a Request for Proposals for Collection Agency Services:

Proposed Date	Action
Thursday, December 19, 2019	Release of RFP
Friday, January 10, 2020, 5:00 PM	Last day to submit questions regarding the RFP
Friday, January 17, 2020, 12:00 PM	Responses to RFP due
Week of January 20, 2020	Panel reviews proposals and submits recommendation to Executive Director; Executive Director selects desired Contractor
Week of January 20, 2020	Selected Contractor is notified
Week of January 27, 2020	Agreement is negotiated and executed
Week of February 3, 2020	Kickoff Meeting
Week of March 9, 2020	Draft Deliverables Transmitted to Executive Director
March 31, 2020	Deliverables Finalized
April 15, 2020 Regular Rent Board Meeting (5:00 PM)	Deliverables Presented to the Rent Board

DOCUMENTS ATTACHED:

Attachment 1 – Draft Request for Proposals for Collection Agency Services



CITY OF RICHMOND RENT PROGRAM

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

DRAFT REQUEST FOR PROPOSALS FOR FINANCIAL CONSULTING SERVICES

December 19, 2019

**CITY OF RICHMOND RENT BOARD
REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR
FINANCIAL CONSULTING SERVICES**

The City of Richmond Rent Board (Rent Board) is soliciting proposals from qualified firms and agencies to provide financial consulting services for the Rent Board agency. The Rent Board desires to enter into an agreement for professional services with a qualified firm or agency who can demonstrate competency and experience in (1) developing 2, 5, and 10-year financial projections; (2) providing recommendations to the Rent Board to achieve long-term financial sustainability of the Richmond Rent Program (“Rent Program”) agency; and (3) providing recommendations regarding financial and budgetary best practices. The Rent Board seeks an experienced and effective Contractor that will be able to work with Rent Board staff to develop financial projections and recommendations to inform the Rent Board in their adoption of the Fiscal Year 2020-21 budget in April 2020.

All questions must be submitted via the electronic BidsOnline system on the Q&A tab by Friday, January 10, 2020 at 5:00 p.m. PST. If the City finds it necessary to issue an addendum, prospective bidders will receive e-mail notification of an addendum. Otherwise, answers to questions received will be provided on the Q&A tab and notification will be sent by Wednesday, January 15, 2020, at 5:00 p.m. PST. It is the proposer’s responsibility to periodically check the BidsOnline website at www.ci.richmond.ca.us/bids for any possible Addenda to the RFP that may have been posted.

Interested parties may download copies of the above mentioned proposal by visiting the City's web site, www.ci.richmond.ca.us/bids. To download the RFP, new vendors will be required to register. Once the vendor downloads all documents relative to a solicitation, that vendor's name will appear on the Prospective Bidders list for that project and will receive any addenda or notifications relating to the RFP.

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) 2019-2020. This document contains the requirements that all proposers must satisfy and/or complete.

Through this Request for Proposals (RFP), the Rent Board invites qualified firms and agencies to provide financial consulting services to meet the specific needs of the Rent Program agency. The goals of the consulting services are threefold: (1) to develop two, five, and 10-year financial projections to aid the Board in their adoption of the FY 2020-21 budget; (2) to provide actionable recommendations to achieve long-term financial sustainability of the Rent Program agency; and (3) to provide actionable recommendations regarding financial and budgetary best practices, specifically as it relates to the preparation of an annual budget and fee study for the Rent Program agency.

Utilizing funds provided by the Rent Board’s Residential Housing Fee, this RFP seeks to contract with one firm or agency to meet the goals of this RFP. The Rent Board expects to award a contract according to the table set forth below.

Program	FY 19-20 Funding	Funding Source	Approx. # of Awards
Financial Consulting Services	Up to \$20,000	FY 2019-20 Rent Board Budget (<i>funded by the Residential Rental Housing Fee</i>)	1

Funding for the requested services will be provided for the 2019-20 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 contracts are typically based on the fiscal year calendar, July 1 to June 30. The Rent Board expects the agreements to be executed during the week of January 27, 2020 and expects the requested deliverables to be produced no later than March 31, 2020.

The selected proposer(s) will be required to enter into an agreement with the Rent Board containing the terms and conditions set forth in Attachment A: City of Richmond Rent Board Standard Contract. 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.

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

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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.

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 and the Richmond Rent Program is an extension of the Richmond Rent Board, charged with the administration of the Rent Ordinance. An estimated 19,259 rental units throughout the City of Richmond are covered by the Rent Ordinance.

The Rent Ordinance, found in Richmond Municipal Code Section 11.100, and its companion 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) Limit 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) Authorize 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 uninhabitable premise or decrease in services; 3) Eliminate no cause evictions and requires Landlords have at least 1 of the 8 Just Cause bases 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) Prohibit retaliatory evictions and establishes tenants’ rights to relocation benefits when facing “no-fault” Just Cause eviction; and 5) Establish a Rent Board to execute and administer the provisions of the Rent Ordinance through rules, regulations, resolution, contracts, and legal action.

To enforce the regulatory goal of the Rent Ordinance, the Rent Board passes an annual budget and funds that budget by charging Landlords a Residential Rental Housing Fee. The adopted budget and Rental Housing Fees for years prior are contained in the table below. While the City and Rent Board entered into a Reimbursement Agreement in December 2017 to pay for services and advance funds provided by the City to the Rent Board to carry out its powers, duties, and functions as set forth in the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, it is the intent of the

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City and Rent Board that the Board be self-sufficient and not require either permanent funding or cash advances from the General Fund of the City of Richmond (Attachment B).

Table 1. Expense and Revenue Summary

FISCAL YEAR FEE	BUDGETED AMOUNT ¹	FUNDS EXPENDED	REVENUE COLLECTED	ESTIMATED REVENUE CAPACITY BASED ON UPDATED UNIT COUNT ²	ESTIMATED PERCENT OF POTENTIAL REVENUE COLLECTED
2017-18 ³	FY 16-17 (partial): \$1,150,433	\$1,967,837	\$2,173,778 ⁴	\$2,792,555	77.8% ⁵
	FY 17-18: \$2,425,338				
2018-19	\$2,804,925	\$1,757,550	\$1,740,815	\$2,550,164	68.3%
2019-20 ⁶	\$2,923,584	\$878,111	\$1,935,017	\$2,923,584	66.2%

Additional information about the Rent Program and its services is accessible at www.richmondrent.org.

¹ Includes reserves as recommended by the GFOA.

² This figure represents the total possible revenue that could be collected, calculated by multiplying the adopted fee by the updated number of total rental units based on the Rent Program's updated unit count information.

³ Includes the Fiscal Year 2016-17 Rental Housing Fee (December 2016 – June 2017)

⁴ This figure includes revenue collected in Fiscal Year 2017-18 for both the Fiscal Year 2016-17 and Fiscal Year 2017-18 fees.

⁵ This figure represents the percentage of potential revenue for both FY 16-17 and FY 17-18 collected in FY 17-18, during the concurrent billing cycle.

⁶ Amounts reflect expenditures and revenue from July 2019 – October 2019.

SUMMARY OF REQUESTED SERVICES AND DELIVERABLES

The Rent Board intends to obtain the services of a financial consultant (Contractor) to provide the following deliverables by March 31, 2020:

- 1) Develop and present two, five, and 10-year financial projections of both revenues, expenditures, and reserves for the Rent Program agency, specifically as they relate to collection of the Rental Housing Fee;
 - a. This shall include monthly projections showing the length of time during which the Rent Program would be required to loan money from the General Fund due to cash deficits
- 2) Provide recommendations on how to meet the Rent Program’s goal of building 17% operating reserves by the close of the 2020-21 fiscal year, and how best to achieve long-term financial stability in a manner that is consistent with all applicable laws and regulations including but not limited to Section 50076 of the California Government Code; and,
- 3) Provide recommendations regarding financial and budgetary “best practices” to be utilized by the Rent Board and Rent Program staff members, specifically as it relates to the preparation of an annual budget and fee study for approval by the Rent Board.

PROPOSAL SUBMISSION REQUIREMENTS AND CRITERIA

The proposal must contain the following specific information. Any additional information that the prospective Contractor wishes to include should be included in an appendix to the proposal.

1. Cover Letter: Letter of transmittal signed by an individual authorized to bind the proposing entity stating the prospective Contractor has read and will comply with all terms and conditions of the RFP.
2. Organizational Background: General information about the prospective Contractor, including the size of their organization, location of office(s), number of years in business, organizational chart, name of owners and principal parties, and the number and position titles of staff.
3. Scope of Services: Include a detailed description of the components of housing financial analytical and/or advisory services.
4. Firm and Personnel Experience: Qualifications of staff proposed for the assignment, their position in the firm or agency, and types and amount of equivalent collection experience. Be sure to include any municipal agencies they have worked with and their level of involvement. A description of how overall supervision will be provided should be included (this can be included as part of an attachment).
5. Relevant Experience: List of financial analytical and/or advisory services which your firm or personnel have completed within the last five (5) years. Information should include project description, year completed, client name, along with a person to contact and his/her telephone number.
6. Sub consultants: Identification is required for any contemplated sub consultants to be used, with the identification of personnel to be assigned, their qualifications, education, and representative experience.
7. References: Please submit a list of references comprised of a listing of work similar to that identified in this RFP.
8. Fee Schedule: The fee schedule shall include the hourly rates for each personnel category to be used on the project and/or fee for each deliverable. The fee schedule shall include the proposed fees and timeframe for the completion of each deliverable.
9. Agencies submitting a proposal in response to this RFP must disclose any actual, apparent, direct, indirect, or potential conflicts of interests that may exist with respect to the firm, management, or employees of the firm or other persons relative to the services to be provided. If a firm has no conflicts of interest, include a statement to that effect in the proposal.

Specific Requirements Related to the Scope of Work:

- The selected Contractor shall be fully responsible for maintaining accurate records of all correspondence, working papers, and other related evidence. These records shall be made available to the Board as requested.
- The Contractor, if selected, agrees to maintain a City of Richmond Business License, as required by the Richmond Municipal Code, for the duration of the contract.

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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.

Table 2. Proposed Timeline

PROPOSED DATE	ACTION
Thursday, December 19, 2019	Release of RFP
Friday, January 10, 2020, 5:00 PM	Last day to submit questions regarding the RFP
Friday, January 17, 2020, 12:00 PM	Responses to RFP due
Week of January 20, 2020	Panel reviews proposals and submits recommendation to Executive Director; Executive Director selects desired Contractor
Week of January 20, 2020	Selected Contractor is notified
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Week of March 9, 2020	Draft Deliverables Transmitted to Executive Director
March 31, 2020	Deliverables Finalized
April 15, 2020 Regular Rent Board Meeting (5:00 PM)	Deliverables Presented to the Rent Board

DEADLINE TO SUBMIT RFP QUESTIONS

All questions must be submitted via the electronic BidsOnline system on the Q&A tab by Friday, January 10, 2020 at 5:00 p.m. PST. If the City finds it necessary to issue an addendum, prospective bidders will receive e-mail notification of addendum. Otherwise, answers to questions received will be provided on the Q&A tab and notification will be sent by Wednesday, January 15, 2020, at 5:00 p.m. PST. It is the proposer's responsibility to periodically check the BidsOnline website www.ci.richmond.ca.us/bids for any possible Addenda to the RFP that may have been posted.

The Board reserves the right to respond to these questions in a limited fashion or not all. Additionally, please note that the Board 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 are required to submit by mail or hand delivery one (1) original, five (5) hard copies, and one (1) electronic copy either on optical media or USB drive of their proposal no later than **Friday, January 17, 2020, at 12:00 PM** to:

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

The proposals must be in a sealed envelope marked with the respondents' 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 January 17, 2020. 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 Board will create a Rent Program Collection Services Review Committee to evaluate timely submitted proposals. The Committee will be comprised of neutral Richmond Rent Program Staff members and may include representatives from the City of Richmond Finance Department. All proposals should provide sufficient and concise information to permit sufficient review and adequate evaluation. Proposals shall be reviewed in four general phases:

1. All proposals will be evaluated based on the proposal submission requirements and criteria.
2. The Rent Program Collection 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 criteria on the following page when evaluating any and all proposals.

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Table 3. Evaluation Criteria

Technical Evaluation Criteria	Allocated Points
Thoroughness and understanding of the tasks to be completed	20
Agency's expertise and overall experience of personnel assigned to the work	15
Time requested to accomplish the requested services	20
Responsiveness to requirements of the project	15
Public sector experience in a municipal setting, conducting similar services	15
Fee Proposal	15

The proposal(s) with the highest score(s) will not automatically be awarded a contract. In making the final selection of a service provider, the Executive Director of the Richmond Rent Program will consider the Committee's scoring, proposers' past performance, if applicable, Fee Proposal, and the Richmond Rent Board's overall needs. 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 proposers will be notified via email of the Richmond Rent Board's decision to award a contract to one or more proposers. The notice shall state the name of the organization(s) who was 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 Friday, January 31, 2020. If a proposer chooses to appeal, the appeal must be made in writing and mailed to the City of Richmond Rent Program, Attn: Cynthia Shaw, 440 Civic Center Plaza, Suite 200, 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

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process by members of the Rent Program Collection Agency Services Review Committee; 2) misconduct by members of the Rent Program Collection Agency Services Review Committee; and/or 3) abuse of discretion by members of the Rent Program Collection Agency 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 his/her decision after it is rendered.

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OTHER TERMS AND CONDITIONS

Conditions

The Rent Board will not pay any costs incurred by the prospective Contractor in preparing or submitting the proposal. The Rent Board reserves the right to revise and/or 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. This RFP does not constitute any form or offer to contract.

The prospective Contractor, by submitting a response to this RFP, waives all right to protest or seek any legal remedies whatsoever regarding any aspect of this RFP. This RFP does not commit the Board to award a contract, defray any costs incurred in the preparation of a proposal pursuant to this RFP or to procure or contract for work.

All proposal submitted in response to this RFP becomes the property of the Board and public records and, as such, may be subject to public review.

Indemnification

The successful Contractor must agree to defend, indemnify, and hold harmless the Rent Board, its officers, officials, agents and employees and volunteers from and against any and all losses, liability, or damages arising out of, in consequence of, or resulting from the negligent acts and/or omissions of Agency, its subcontractor, consultants, agents or employees.

Insurance Requirements

The Agency shall demonstrate the willingness and ability to provide the required insurance coverage as set forth below within ten calendar days of notification of selection for award of this Agreement.

The selected Agency will be required to carry, and provide certificates of insurance for, general and automobile liability insurances as follows:

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- General Liability: \$1,000,000 minimum per occurrence
- Automobile Liability: \$1,000,000 minimum per occurrence
- Worker's Compensation Statutory Limits

The General Liability Insurance is to contain or be endorsed to name the Board, its officers, officials, employees and agents as Additional Named Insureds with respect to any actual or potential liability arising out of activities performed in connection with this RFP and accompany contract. The coverage shall be primary and shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Original endorsements, signed by a person authorized to bind coverage on its behalf, shall be furnished to the Board by the successful Contractor.

Worker's Compensation policies are to be endorsed to include a waiver of subrogation against the Board, its officers, officials, employees and agents.

The successful Agency will be required to enter into a Service Agreement with the Board. A draft agreement will be provided upon request.

Business License Requirement

The successful Contractor and all subcontractors used in the work will be required to hold or to obtain a City of Richmond business license for which the fee will not be waived.

Compliance with City Ordinances

The contractor and all subcontractors shall comply with the City of Richmond Nondiscrimination Clauses in City Contracts Ordinance ([Richmond Municipal Code \(RMC\) Chapter 2.28](#)), Business Opportunity Ordinance ([RMC Chapter 2.50](#)), Local Employment Program Ordinance ([RMC Chapter 2.56](#)), Living Wage Ordinance ([RMC Chapter 2.60](#)) and Ordinance Banning the Requirement to Provide Information of Prior Criminal Convictions on all Employment Applications ("Ban the Box") ([RMC Chapter 2.65](#)), which are incorporated into the Contract Documents by this reference.

ATTACHMENTS

Attachment A – City of Richmond Rent Board Standard Contract

Attachment B – Reimbursement Agreement between the Rent Board and City of Richmond

Attachment C – Fiscal Year 2019-20 Budget and Rental Housing Fee Study

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