



United Community Housing Coalition

2023 Request for Proposals ARPA-Right to Counsel

RFP #100

Release Date: March 13, 2023

Closing Date: March 24, 2023 1:00pm



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United Community Housing Coalition
Request for Proposals
ARPA- RIGHT TO COUNSEL

EVENT / ACTIVITY	DUE DATE / TIME
ADVERTISEMENT DATE	3/13/2023
QUESTIONS DUE	All questions must be submitted by email to RTC@uchcdetroit.org (make sure to include Questions in the subject line) Due by 5:00pm 3/20/2023
ANSWERS DISTRIBUTED	Answers to questions will be submitted to the named contact person for all applications.
APPLICATIONS DUE DATE *	March 24th, 2023 @ 1:00 PM EST

* Applications must be emailed to RTC@uchcdetroit.org (make sure to include RTC Application in the subject line) or prior to the exact date and time indicated above. Late applications will not be accepted.



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Section 1. Project Summary and Background

1.1. PROJECT REQUEST

United Community Housing Coalition (UCHC), is releasing this Request for Proposals pursuant to their contract with the City of Detroit to seek qualified organizations, firms, or individuals to administer and to provide certain legal services to certain covered persons as further outlined in the scope of work (Section 2). Any entity awarded a contract by UCHC shall be expected to adhere to all requirements for service delivery as set forth below and all service delivery requirements set forth in UCHC's contract with the City of Detroit.

1.2. BACKGROUND/DESCRIPTION OF ENVIRONMENT

United Community Housing Coalition (UCHC) has received funds from the City of Detroit, United States Department of the Treasury (the "Treasury") pursuant to the Coronavirus State and Local Fiscal Recovery Fund under CFDA 21.027 ("ARPA Funds"), under Section 602 and 603 of Title VI the Social Security Act, as amended by Section 9901 of the American Rescue Plan Act of 2021 ("ARPA") (Subtitle M of Title IX of Public Law 117-2); and the City has allocated ARPA Funds to provide funding for appropriate and qualifying expenditures as allowed under the Treasury Guidance Interim Final Rule "Coronavirus State and Local Fiscal Recovery Funds" (86 Fed. Reg. 267878).

UCHC intends to use allocated ARPA funds, and other funds as may be legally available and appropriated, to seek qualified organizations, firms, or individuals (hereafter referenced as "legal services provider(s)") to provide certain legal services for certain covered persons as defined more fully below. Respondents will be required to comply with the provisions of ARPA, related U. S Treasury regulations and guidance including, but not limited to, the provisions of OMB Uniform Guidance found at 2 C.F.R. 200.

UCHC seeks to implement a new Right to Counsel program (the "Program") that provides and administers legal representation to covered city residents. A covered person must be a current resident of the City of Detroit, have an annual gross income that does not exceed 200% of the federal poverty guidelines and is a defendant or respondent in a covered proceeding. Except as may be otherwise provided, a "covered proceeding" will include summary proceedings commenced in 36th District Court to recover possession from an occupant of any residential property or any administrative proceeding which threatens the occupancy of an occupant, including, but not limited to eviction proceedings, actions to recover possession for an occupant illegally evicted as a result of self-help remedies, mortgage foreclosures, property tax foreclosures, land forfeiture proceedings, and threats to rent subsidies. Unless as otherwise provided below, covered persons are to be represented through any post judgment process or appeal of any other proceedings listed above. Based on funding availability, preferences may be provided to eligible households based on specific vulnerability factors to be determined.

1.3. AWARD CLAUSE INCLUDING RENEWAL OPTIONS

If a contract is awarded because of this RFP, it will be a UCHC Agreement. The term of the agreement will be for no longer than the term of UCHC's contract with the City of Detroit (currently to June 30, 2025). Any renewal option exercised under this contract is effective only after the approval of UCHC. UCHC anticipates one or multiple awards as a result of this RFP.

Section 2. Statement of Work



2.1. **SERVICES TO BE PERFORMED**

The Contractor shall provide additional services as follows that are paid for by the American Rescue Plan Act (ARPA) funding.

Under the direction of UCHC, the Contractor will be responsible for the provision of legal services to eligible persons. It is anticipated that over the course of any awarded contract the total number of eligible persons served will be 5,814, of which UCHC will be servicing directly 1,938 and contracting legal services providers for the balance.

The legal services provider(s) to be selected through this RFP are limited to funds legally available for these purposes that have been appropriated by the Detroit City Council. As of the date of this RFP, an average of not more than \$760.00 dollars per client is available to be allocated among any or all providers selected because of this RFP and, pursuant to an agreement executed with the selected Respondents and providers of legal services, obligated for the remaining of the 2022-2023 fiscal year, and the 2023-2024 and 2024-2025 fiscal years of the City of Detroit.

2.2. **OPERATIONAL INFORMATION**

Designated Legal Service Provider Qualifications

United Community Housing Coalition (UCHC) will administer the Right to Counsel program through our Right to Counsel Department. This Department will look to one or more legal service providers to provide the contemplated legal services. To be eligible as a designated legal service provider, the respondent must consist of (or provide copies of agreements with) one or more lawyers that are active members of the Michigan State Bar with relevant experience in private practice, prior government service or nonprofit legal aid that demonstrate sufficient experience and competency to provide legal representation to covered persons. “Relevant experience” includes but is not limited to experience with landlord-tenant and land contract forfeiture cases, subsidized housing cases, and the population being served (i.e. low-income Detroit residents). Competency must include the capacity to provide legal services in accordance with the standards set by the ABA for the Provision of Civil Legal Aid to covered individuals, whether or not the respondent and legal services provider is a legal aid organization.

Program Administration and Requirements

Respondents shall be reimbursed their actual cost not to exceed an average of \$760.00 dollars per case, if billed on a cost reimbursement basis for multiple staff and cases, to provide legal service and shall actively coordinate with UCHC’s Right to Counsel Department. The process for obtaining clients may change over time, but the current expectation is that legal services providers receiving a contract under this RFP will coordinate with UCHC to be present on one or more 36th District Court Real Estate Division dockets on a regular basis and be prepared to interview defendants, assess their cases and respond as necessary when the case is recalled. Currently cases are heard virtually. UCHC will require legal representatives to assure that they are capable of representing clients at the 36th District Court on or after their first scheduled court date. UCHC shall ensure that all legal representatives file appearances with the Court on behalf of the represented covered person.

UCHC shall provide covered individuals with information and referrals to related wrap-around services providers.



Designated legal services provider(s) will be required to address client referrals received by UCHC from multiple sources as assigned, including:

- Referrals directly from the City’s Office of Eviction Defense to UCHC and UCHC shall work with the City to develop an intake mechanism. UCHC will administer the program and make assignments with a Smart Sheet or similar technology, as well as keep track of all referrals including wrap around service providers and monitor the status of each case. Referrals of court cases will generally be made to the provider assigned to the particular court the case has been assigned to by the court.
- Referrals from the 36th District Court.
- Referrals from any non-profit organization engaged in similar activities that support persons seeking legal counsel in enforcement of housing occupancy rights of a person.
- Referrals through means identified by the designated legal services provider.
- All referrals will need to be screened for eligibility, including any “vulnerability” issues if necessary due to caseloads.

In all instances, where the referral is reviewed and accepted for representation, the respondent shall contractually provide that the lawyer client relationship (if not already formed) shall be established, at the latest, by the legal representative showing up to 36th District Court to represent the client.

Reporting

Designated legal service providers will be required to provide reporting sufficient to allow compliance with the requirements of UCHC and any other reports necessary to comply with the requirements of ARPA and the City of Detroit. Reporting and a request for payment/reimbursement must be done monthly and are due by the 15th of the month following services.

Proposals

Respondents should answer the questions set forth on the accompanying program application at the end of this RFP.

2.3. TECHNICAL INFORMATION

UCHC is responsible for meeting programmatic and fiscal requirements under the ARPA Final Rule and other US Department of Treasury SLFRF guidance as well as all applicable regulatory provisions under 2 CFR Part 200 and as may be amended by the Final Rule, effective April 1, 2022 and those set forth by the City of Detroit. This includes performance outcomes development, monitoring, and reporting for activities of the subrecipient award. This also includes, but is not limited to, the design, delivery and records management associated with the solicitation, review, and recommendation for potential of the project to enhance the wellbeing of the public following the COVID 19 pandemic; project and beneficiary eligibility; project cost reasonableness; grant awards; grant disbursements; and field validation of work completion; and overall compliance grants.

Service providers selected under this RFP will be required to adhere to all requirements set forth in the above description.

UCHC is required by the City of Detroit and is committed to centralizing and warehousing data for the purpose of improving service delivery and enabling cross organization analytics. For this reason, we expect Subrecipients, contractual relationships, and resulting software platforms to enable data access, data



interoperability, warehousing of resulting data, and adherence to data standards.

Specifically, the minimally requires:

- Access to any data in a machine-readable format.
- Full documentation of APIs (including field names and objects) and the database schema used by the application.
- Ability for UCHC to push data as needed to these software systems to update base datasets.
- The ability for the UCHC to use and govern this data as it deems necessary centralizing it, porting it into other systems, and using it for additional and future organizational needs.

UCHC prefers:

- System or platform has the capacity to store field-level metadata and display it in the user interface when appropriate.
- API is able to provide data in a JSON format.
- Data system or data exports integrate easily with ESRI products including feature services.
- Systems or platforms that support data exchanges (pushes and pulls) that can happen dynamically.

The information necessary to capture per case:

- Client identifying information, such as name, date of birth, veteran status, race and ethnicity.
- Client contact information, such as email address(es) and phone number(s).
- Household demographic information, such as # of adults, seniors, children (gender of children), # disabled persons in household and # senior persons in household, seniors defined as 62+, total annual income and all income sources.
- Name of staff member(s) assigned to each case, with time stamps of when case is opened and closed.
- Identifying information per court case, including court case number, adverse party and opposing counsel, defendant name and defendant attorney, judge, date case filed, date case resolved, resolving method per ROA.
- Outcome information related to each case.



Section 3. Application Evaluation and Selection Process

3.1. MINIMUM QUALIFICATIONS

Applications will only be accepted from those organizations demonstrating a minimum of 3 years of experience providing legal representation services requested in the RFP. Additionally:

1. Applicant must provide a minimum of three active program referrals
2. Applicants must demonstrate sufficient experience and competency to provide legal representation to covered persons.

3.2. ADHERENCE TO TERMS OF APPLICATIONS

An application once accepted by UCHC, may become a binding contractual obligation of the Applicant. The failure of a successful Applicant to accept this obligation and to adhere to the terms of the Applicant’s application may result in rejection of the application and the cancellation of any provisional award to the applicant. Applicants are not permitted to take advantage of any errors or omissions in specifications since full instructions will be given should they be discovered before bid submission date.

3.3. QUESTION DEADLINE

All questions regarding the RFP shall be submitted through email no later than the time and date specified on the Cover Page. In the interest of transparency, only written questions will be accepted. Answers to questions will be emailed in a reply message. UCHC does not guarantee a response to questions submitted after the question deadline.

Should an Applicant be in doubt as to the true meaning of any portion of this RFP or find any patent ambiguity, inconsistency, or omission herein, the Applicant must make a written request for an official interpretation or correction in accordance with the instructions for submitting questions as specified in this RFP.

Applicants are advised that no oral interpretation, information or instruction by an officer or employee of UCHC shall be binding upon UCHC.

Applicants requesting changes to the RFPs terms and conditions, specifications, quantities, etc.; or if clarifications are needed, must make the request in writing by the stated bid deadlines.

3.4. EVALUATION CRITERIA

Technical Applications will be evaluated before Price Applications are reviewed.

Application Evaluation Criteria	Possible Points
1. Experience with Similar Housing Projects	30
2. Experience with population to be served	20
3. Capacity	25
4. Pricing (Budget/ Fixed Fee/Rates/Etc.)	25
Total Points Possible	100



3.5. EVALUATION PROCEDURE

Following the receipt of applications, UCHC designated Evaluation Committee will evaluate each response. All Applications which meet the required format of this RFP, will be evaluated. Any application determined to be non-responsive to the specifications or other requirements of the RFP, including instructions governing submission and format, will be disqualified unless UCHC determines, in its sole discretion, that non-compliance is not substantial or that an alternative proposed by the Applicant is acceptable.

UCHC may also at its sole discretion, elect to rank order the qualified applications, and negotiate with some limited number of the highest scored qualified Applicants. A final determination would include the cumulative inputs of this evaluation procedure. All decisions reached by the Evaluation Committee will be by consensus.

Any of the additional data specs and standards described in Section 2.3, that are met will be factored positively into the overall score.

Evaluation Criteria Category Descriptions:

1. Experience with Similar Projects
 - Demonstrate sufficient experience and competency to provide legal representation to covered persons. Competency must include the capacity to provide legal services in accordance with the standards set by the ABA for the Provision of Civil Legal Aid to covered individuals, whether or not the respondent and legal services provider is a legal aid organization.
 - Demonstrated knowledge and relationships necessary to act as a gateway to wraparound services.
 - Strong record of performance delivering relevant legal services to covered individuals
 - Demonstrated ability to work collaboratively with other partners to coordinate as full coverage as possible at the 36th District Court.
 - Proven positive relationships with Detroit-based and operating community servicing organizations
2. Experience with population to be served.
 - Population is low-income Detroit residents. Applicant should detail what experience it has with this population addressing housing or any other legal issues.
 - If similar populations have been served by the applicant but not in Detroit, then the community(ies) served should be noted and how they are similar to the population to be served under this project.
3. Respondent Capacity
 - Incorporation of sustainable, innovative, and effective practices
 - Respondent and its team have demonstrated ability to deliver high quality, innovative work for relevant projects of similar scale
 - Ability to deliver critical support to legal representatives, ensuring they maintain proper data and financial records for invoicing
 - Work and financial capacity to commence upon notification of award and contract
 - Ability to provide financial and program reports as required by the City
4. Pricing
 - Itemized line-item budget to complete the work consistent with the Terms of Payment approach
 - Demonstrates the capacity to deliver the work on time and within the most cost-effective budget



3.6. REJECTIONS, MODIFICATIONS, CANCELLATIONS

UCHC expressly reserves the right to:

- 1) accept or reject, in whole or in part, any and all applications received;
- 2) waive any non-conformity;
- 3) re-advertise for applications;
- 4) withhold the award for any reason UCHC determines;
- 5) cancel and/or postpone the request for proposals, in part or in its entirety, and/or,
- 6) take any other appropriate action that is in the best interest of UCHC.

This RFP does not commit UCHC to award an agreement, to pay any cost incurred in the preparation of an application under this request, or to procure or contract for services.

3.7. PROTESTS

Protests can be filed with the Executive Director at United Community Housing Coalition. Interested parties aggrieved by a RFP or the award of any resulting Contractor agreements, may file written notice of protest to the following:

**United Community Housing Coalition
Executive Director
2727 Second Ave
Suite 313
Detroit, MI 48201
“RFP Protest”**

At a minimum, such protests shall include:

- 1) name of protestor.
- 2) statement of grounds for protest (reference specific text in the RFP, or Subrecipient document that is at issue)

The decision of the UCHC Executive Director is final and is not subject to appeal.



Section 4. Required Application Content and Submission Process

4.1. ACCURACY AND COMPLETENESS OF INFORMATION

All information pertaining to the prospective Applicant’s approach in meeting the requirements of the RFP shall be organized and presented in the prospective Applicant’s application. The instructions contained in this RFP must be strictly followed.

Accuracy and completeness are essential. Omissions and ambiguous or equivocal statements will be viewed unfavorably and may be considered in the evaluation. Since all or a portion of the successful application may be incorporated into any ensuing agreement, all prospective Applicants are further cautioned not to make any claims or statements that cannot be subsequently included in a legally binding Contractor agreement.

4.2. REQUIRED APPLICATION CONTENT AND FORMAT

To be considered responsive, each application must, at a minimum, respond to the following RFP sections in their entirety, and responses must be emailed per page one of the RFP:

Required Response Item	
1.	Letter of Transmittal The prospective Applicant’s application shall include a letter of transmittal signed by an individual or individuals authorized to bind the prospective Applicant contractually. The letter must state that the application will remain firm for a period of one hundred twenty3 (120) days from its due date and thereafter until the prospective Applicant withdraws it, or a contract is executed, or the procurement is terminated by UCHC, whichever occurs first.
2.	Application Questionnaire Applicant shall provide their application introduction and Solution/Approach, per requirements.
3.	Pricing. Applicant shall provide their pricing application, per the requirements.

4.3. REQUIRED PRICE APPLICATION

Applicants are requested to make a firm price proposal to UCHC as part of this application. If an agreement is entered into because of this RFP, it will be a Contract agreement for reimbursement providing all requested services, with a price not to exceed the total price quoted in the application. UCHC reserves the right to select applications from the most responsible applicants with the most reasonable costs. UCHC reserves the right to select one or more organizations to perform all or separate parts of this function.



4.4. ECONOMY OF PREPARATION

Applications should be prepared simply and economically providing a straightforward, concise description of the Applicant's ability to meet the requirements of the RFP. Emphasis should be on the completeness and clarity of content.

4.5. SUBMITTAL INSTRUCTIONS

All applications **must** be submitted by email to RTC@uchcdetroit.org. Each Applicant is responsible for ensuring that its application is received by UCHC on a timely basis. **Faxed or mailed applications will not be accepted.**

Applicants shall not distribute their applications to any other UCHC Department or UCHC employee. Applications received become the property of UCHC. UCHC is not responsible for any costs associated with preparation or submission of applications. All applications must be submitted by the due date. Responses received **will not** be available for review. Applications received will be subject to disclosure under the state of Michigan's Freedom of Information Act. An officer of the company authorized to bind the company to a contractual obligation with UCHC must sign the application. The successful Applicant will receive an award letter. Applicants who are not awarded will receive a notification that the award decision has been made.

Section 5. General Conditions and Requirements for RFP

5.1. CONTRACT APPROVAL

Upon RFP award, UCHC and the successful Applicant shall execute a contract agreement, which shall contain all contractual terms and conditions in a form provided by UCHC. No agreement shall become effective until it has been approved by UCHC and signed by an authorized representative. Prior to the completion of this approval process, the successful Applicant shall have no authority to begin work under the agreement. UCHC shall not authorize any payments to the successful Applicant prior to such approvals; nor shall UCHC incur any liability to reimburse the successful Applicant regarding any expenditure for the purchase of materials or the payment of services. All subrecipients shall also be responsible for all obligations for reporting, recording keeping and all other requirements UCHC has with the City of Detroit.

5.2. PAYMENT

All properly executed invoices submitted by the successful Applicant will be paid by UCHC. Invoices later deemed inadequate by the City of Detroit will be subject to funds being recaptured by UCHC.

Terms of Payment

UCHC will make payments monthly either as payment upon final resolution of each case, with payment being per case completed or as a cost reimbursement for all cases completed. The invoice will include the approved line-item budget, expenses for the period and cumulative total invoiced to date. The monthly invoice will be fully supported by copies of all documentation. The contractor will report the number of cases active during the month. The average cost per case may not exceed \$760.00 dollars. Without regard to the payment process implemented, in no case will cases be counted for services rendered to clients that do not meet the income qualification requirements.



5.3. **INVOICES**

Required steps to invoice:

- 1) Invoices should be forwarded to the Accounting Department of UCHC monthly by the 15th.
- 2) Please follow the below invoice requirements:

Invoice MUST contain or have as attachment:

- Contractors Name and address on Invoice
- Contact Info on Invoice (Accounts Receivable contact with phone and email)
- Remittance information (MUST be included, or the invoice is subject to rejection)
- Invoice Date
- Date of service/delivery
- Agreement number
- Purchase order number
- Total Invoice amount
- The wording “ARPA RTC” (must be noted on every invoice)

Other invoice requirements:

- Invoice must be billed based on Actual Cost
- Total invoice amount must tie to the total supporting documents
- Supporting documentation must be attached to the invoice.

Terms are standard NET 15 Days, unless otherwise negotiated, and start from the invoice receipt date, provided that the invoice is submitted timely to our AP department with the necessary supporting documentation.

If you need assistance, please contact the UCHC Accounting Department.



Application Cover Sheet

1. Applicant Organization Legal Name (must match UEI #):
2. Applicant Mailing Address:
3. Unique Entity ID (UEI):
4. Federal ID Number:
5. Contact Person responsible for answering question about this proposal:
6. Telephone Number:
7. Email:
8. Website:
10. Number of agency employees that reside in the City of Detroit:
11. Number of employees in your agency:



3. What experience you have had representing persons in the 36th District Court or a similar very high-volume court? If a “similar” court state what court.

4. What is the minimum number of covered individuals that you would be willing to provide in court representation? What is the maximum number? 100 words



5. Approximately what are the typical number of cases you or your agency/organization have represented in a typical year? Approximately how many were landlord-tenant or land contract forfeiture? 100 words

6. Give one or more examples of you or your agency/organization working collaboratively with others on a project?



7. Why do you feel you or your agency/organization is best suited to serve this project?

8. What is your average cost per case represented? Explain how you determined this amount?

Budget

Please detail all costs for the proposal you are submitting. Including the number of staff identified by position and what their role will be in your delivery of these services.