



REQUEST FOR PROPOSALS

For

Low Income Housing Tax Credit Program Compliance Trainings

INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

30 South Meridian Street, Suite 900

Indianapolis, IN 46204

<http://www.in.gov/ihcda/>

317-232-7777

ISSUE DATE: February 14, 2022

RESPONSE DEADLINE: March 7, 2022, 5:00 PM Eastern Time

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PART 1

SCOPE OF THIS REQUEST

1. PURPOSE OF THIS REQUEST FOR PROPOSALS (“RFP”)

The Indiana Housing and Community Development Authority (“IHCDA”) is requesting proposals to conduct interactive, virtual Low Income Housing Tax Credit (“LIHTC”) compliance trainings. These trainings provide instructional opportunities for LIHTC partners, with a primary audience of compliance staff and property managers. Training content must incorporate, at a minimum, information contained in Section 42 of the Internal Revenue Code, Treasury regulations, relevant IRS notices and guidance, IHCDA’s Compliance Manual, and Chapter 5 of the U.S. Department of Housing and Urban Development (“HUD”) Handbook 4350.3.

The selected Respondent will contract with IHCDA to conduct three two-day Qualifying Households trainings, one two-day Advanced Tax Credit Compliance trainings, and one one-day Fair Housing Essentials for Property Management training for a total of five trainings over nine days.

2. ABOUT THE INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

MISSION STATEMENT

IHCDA provides housing opportunities, promotes self-sufficiency, and strengthens communities. To accomplish this IHCDA will:

- Promote place-based initiatives that will allow Hoosiers opportunities to improve their quality of life;
- Create and preserve housing for Indiana’s most vulnerable population;
- Enhance self-sufficiency initiatives in existing programs; and
- Promote a value-driven culture of continuous improvement.

VISION

IHCDA envisions an Indiana with a sustainable quality of life for all Hoosiers in the community of their choice. We believe that growing Indiana's economy starts at home and that all Hoosiers should have the opportunity to live in safe, affordable, good-quality housing in economically stable communities. That's the heart of IHCDA's mission. Our charge is to help communities build upon their assets to create places with ready access to opportunities, goods, and services. We also promote, finance, and support a broad range of housing solutions, from temporary shelters to homeownership.

IHCDA's work is done in partnership with developers, lenders, investors, and nonprofit organizations that use our financing to serve low and moderate-income Hoosiers. We leverage public and private funds to invest in financially sound, well-designed projects that will benefit communities for many years to come. And our investments bear outstanding returns. The activities that we finance help families become more stable, put down roots, and climb the economic ladder. In turn, communities grow and prosper, broadening their tax base, creating new jobs, and maximizing local resources. IHCDA's work is truly a vehicle for economic growth, and it all starts at home.

OVERVIEW (for more information visit <http://www.in.gov/ihcda/>)

IHCDA was created in 1978 by the Indiana General Assembly and is a quasi-public financially self-sufficient statewide government agency. IHCDA's programs are successful in large part because of the growing network of partnerships IHCDA has established with local, state, and federal governments, for-profit businesses and not-for-profit organizations. For-profit partners include investment banks, mortgage lenders, commercial banks, corporate investment managers and syndicators, apartment

developers, investors, homebuilders, and realtors. Not-for-profit partners include community development corporations, community action agencies, and not-for-profit developers.

3. **SCOPE OF SERVICES**

The selected Respondent will conduct the following trainings and will be responsible for collaborating with IHCD regarding scheduling, registration, and marketing of the training events.

The 2022 trainings are envisioned as virtual trainings due to the ongoing COVID-19 pandemic; however, The Respondent is being asked to provide pricing for both in-person and virtual training in case the decision is made to conduct any trainings in-person. The Respondent is responsible for hosting any virtual trainings and providing the necessary online platform. If any trainings are offered in-person, IHCD will secure locations at no cost to the trainer.

1. Qualifying Households- two-day training, offered three times throughout the year. Topics must include, but are not limited to:
 - What is the LIHTC program?
 - Income and Rent Restrictions
 - Utility Allowances
 - Inclusion of Non-optional Fees in Gross Rent Calculation
 - Verifying and Calculating Income
 - Verifying and Calculating Assets
 - Student Status Qualification
 - Creating a Tenant File
 - Recertifications
 - Lease Requirements
2. Advanced Tax Credit Compliance- two-day training, offered once. Topics must include, but are not limited to:
 - Credit Period, Compliance Period, and Extended Use Period
 - Placed-in-Service Date
 - Multiple Building Project Election
 - Minimum Set-Aside
 - Applicable Fraction
 - Available Unit Rule
 - Vacant Unit Rule
 - Unit Transfers
 - Form 8823 and Consequences of Noncompliance
 - General Tips on Common Compliance Errors- How to Avoid and How to Correct
3. Fair Housing and VAWA Essentials for Property Management- one-day training, offered once
 - Overview of the Fair Housing Act
 - Protected Classes
 - Prohibited Actions / Forms of Discrimination
 - Reasonable Accommodations
 - i. Live-in Aides
 - ii. Support Animals
 - Reasonable Modifications

- i. Must include discussion of who is responsible for paying for modifications
- HUD Guidance on Criminal Screening as Potential Violation of Fair Housing
- VAWA Protections
- VAWA Required Forms and Actions
- Consequences of Fair Housing or VAWA Violations
- Best Practices to Avoid Fair Housing or VAWA Violations
 - i. Must include discussion of importance of written tenant selection plan

The Respondent may propose additional content as long as required topics are covered.

4. **RFP TIMELINE**

February 14, 2022	RFP released to the general public
March 7, 2022	Responses due to IHCD by 5:00 p.m. Eastern Time
Late March	Announcement of selected Respondent

PART 2

RFP PROCESS

1. SELECTION PROCESS

Evaluation of all proposals will be completed by a selection committee consisting of staff from IHCDA. Respondent must be responsive and responsible as described in Part 2 Sections 2 and 3 below. Selection is at the sole discretion of the selection committee.

2. MINIMUM REQUIREMENTS/RESPONSIVE RESPONDENT

Complete Compliant Proposal

The Respondent must submit a complete proposal which addresses all applicable questions enumerated in Part 2 Section 4 and includes the submission and receipt by IHCDA of all items enumerated in Part 2 Section 5 of this RFP.

Past Award Performance (if applicable)

Past award performance, including history of complying with federal, state and local guidelines, meeting benchmarks, and quality of work performed and services provided will be considered. Any entity currently suspended or debarred by or in default with IHCDA will be disqualified. Applicants are not required to submit documentation to attest to past award performance. IHCDA will review documentation from previous awards to evaluate Respondent's past award performance, if applicable.

3. RESPONSIBLE RESPONDENT REQUIREMENTS

IHCDA shall not award any funds until the selected Respondent has been determined to be responsible. A Responsible Respondent must:

- 1.** Have adequate financial resources to perform the project, or the ability to obtain them;
- 2.** Be able to comply with the required or proposed delivery or performance schedule, taking into consideration all the Respondent's existing commercial and governmental business commitments;
- 3.** Have a satisfactory performance record with IHCDA;
- 4.** Have a satisfactory record of integrity and business ethics;
- 5.** Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them;
- 6.** Have supplied all requested information;
- 7.** Be legally qualified to contract in the State of Indiana. If it is an entity described in IC Title 23, it must be registered, and owe no outstanding reports to the Indiana Secretary of State (There is a fee to register with the Secretary of State); and
- 8.** Be otherwise qualified and eligible to receive an award under applicable laws and regulations, including not be suspended or debarred.

If a Respondent is found to be non-responsible, a written determination of non-responsibility shall be prepared and included in the official file for this RFP and the Respondent shall be advised of the reasons for the determination.

4. EVALUATION CRITERIA

The following will be IHCDA’s primary consideration in the selection process, therefore, the Respondent must comply with the following requirements:

1. Satisfaction of Threshold Criteria: The Respondent must meet each requirement enumerated in Part 2 Section 2 “Minimum Requirements” and Part 2 Section 3 “Responsible Respondent Requirements” and must submit all documentation listed in Part 2 Section 5 “Submission Items” to receive consideration in the selection process.
2. Experience of Respondent: Submit a narrative (not to exceed 3 pages) describing the experience of the Respondent. The narrative should focus on training but may also summarize other relevant experience with LIHTC or related affordable housing programs. Narrative must also include at least three references from previous training clients.
3. Proposed Training Agenda: For each training type identified in this RFP Scope of Services, submit a proposed agenda showing all content to be included in the training and approximate time spent on each topic.
4. Sample Training Material: Provide sample training slides and other supplemental material if applicable. Material submitted must demonstrate that the Respondent can develop training of high-quality format and content.
5. Key Staff: Identify key staff who will conduct the trainings.
 - a. For each person identified, provide a current resume and a brief narrative (no more than 1 page each) describing why this person was selected, their training experience, and the role they will play in this particular contract (i.e., which specific trainings they will conduct).
 - b. Identify a key point of contact who would serve as IHCDA’s primary contact during the contract term if selected
6. Budget: The Respondent must submit quote containing the fee for each training session that it plans to offer. The Respondent must provide quotes for two different training formats, one for virtual training and one for in-person training. The in-person training quote must include the cost for travel and materials. All costs (travel, time, supplies etc.) must be rolled into and reflected in the Respondent’s fee. IHCDA will not provide separate direct reimbursement for itemized costs. The template below should be used for the Fee Schedule submission.

BUDGET TABLE		
SERVICE (Describe Training and Format (in person, virtual, etc.))	FEE (Per training, per person, per day, etc.)	BUDGETED AMOUNT

5. RFP SUBMISSION ITEMS

The Respondent must submit documentation in response to the requirements listed in each category heading summarized below. Each of these requirements are described more fully in **Part 2 Sections 2, 3, and 4 of this RFP**. Therefore, the Respondent must review Sections 2, 3, and 4 of Part 2 of this RFP carefully before submitting its response. The Respondent must also submit the Proposal Coversheet and the Certification of Company using the templates located at the end of this RFP Document.

Checklist of Submission Requirements

1. Qualifications Coversheet (required template included at end of this RFP packet).
2. Certification of the Respondent (required template included at end of this RFP packet).
3. Narrative regarding experience of the Respondent, including references. Maximum 3 pages.
4. Proposed Training Agenda for each of the following trainings
 - o Qualifying Households
 - o Advanced Tax Credit Compliance
 - o Fair Housing and VAWA Essentials for Property Management
5. Sample training material
6. Identification of key staff, resumes, and narratives as defined above.
7. Quote for virtual trainings using the Budget Table format in Subsection 6 of Section 4 above.
8. Quote for in-person trainings using the Budget Table format in Subsection 6 of Section 4 above.

6. FORMAT FOR SUBMISSION, MAILING INSTRUCTIONS, AND DUE DATE

Responses must be submitted via email in PDF format to:

Carol Farzetta
Director of Real Estate Compliance
Indiana Housing and Community Development Authority
cfarzetta@ihcda.in.gov

The deadline for submission is March 7, 2022, at 5:00 PM Eastern Time. Applications that do not contain all required forms/documents as listed in this RFP may be determined ineligible for further consideration.

PART 3

TERMS AND CONDITIONS

1. STATE POLICIES

- A. **ETHICAL COMPLIANCE:** By submitting a proposal, the respondent certifies that it shall abide by all ethical requirements that apply to persons who have a business relationship with the State, as set forth in Indiana Code § 4-2-6 et seq., Ind. Code § 4-2-7, et seq., the regulations promulgated thereunder, and Executive Order 04-08, dated April 27, 2004. The Respondent will be required to attend online ethics training conducted by the State of Indiana.
- B. **PAYMENTS:** Any payments for services under any contract awarded pursuant to this RFP shall be paid by IHCDA in arrears in conformance with State fiscal policies and procedures and, as required by IC §4-13-2-14.8, the direct deposit by electronic funds transfer to the financial institution designated by the successful Respondent in writing unless a specific waiver has been obtained from the IHCDA Controller. No payments will be made in advance of receipt of the goods or services that are the subject of any contract except as permitted by IC §4-13-2-20.
- C. **EMPLOYMENT ELIGIBILITY VERIFICATION.** The Respondent cannot knowingly employ an unauthorized alien. The Respondent shall require its contractors who perform work for the Respondent pursuant to the project must certify to the Respondent that the contractor does not knowingly employ or contract with an unauthorized alien.
- D. **CONFIDENTIALITY OF STATE INFORMATION.** The Respondent understands and agrees that data, materials, and information disclosed to the Respondent may contain confidential and protected information. The Respondent covenants that data, material, and information gathered, based upon or disclosed to the Respondent for the purpose of this project will not be disclosed to or discussed with third parties without the prior written consent of the IHCDA. In addition to the covenant made above in this section and pursuant to 10 IAC 5-3-1(4), the Respondent and IHCDA agree to comply with the provisions of IC §4-1-10 and IC §4-1-11. If any Social Security number(s) is/are disclosed by the Respondent, the Respondent agrees to pay the cost of the notice of disclosure of a breach of the security of the system in addition to any other claims and expenses for which it is liable under the terms of this contract.
- E. **ACCESS TO PUBLIC RECORDS:** Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (“APRA”), IC 5-14-3 et. seq., and the entire response may be viewed and copied by any member of the public. Respondents claiming a statutory exemption to disclosure under APRA must place all confidential documents (including the requisite number of copies) in a sealed envelope marked “Confidential”. Respondents should be aware that if a public records request is made under APRA, IHCDA will make an independent determination of confidentiality, and may seek the opinion of the Indiana Public Access Counselor. Prices are not considered confidential information. The following information shall be subject to public inspection after the contract award:
- A. The RFP.
 - B. A list of all vendors who received the RFP.
 - C. The name and address of each Respondent.
 - D. The amount of each offer.
 - E. A record showing the following:
 - a. The name of the successful Respondent.
 - b. The dollar amount of the offer.
 - c. The basis on which the award was made.

F. The entire contents of the contract file except for proprietary information that may have been included with an offer, such as:

- a. trade secrets;
- b. manufacturing processes;
- c. financial information not otherwise publicly available; or
- d. other data that does not bear on the competitive goals of public procurement that was not required by the terms of the RFP itself to be made available for public inspection

F. **TAXES, FEES AND PENALTIES:** By submitting a proposal respondent certifies that neither it nor its principal(s) is presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State of Indiana or the United States Treasury. The Respondent further warrants that it has no current, pending or outstanding criminal, civil, or enforcement actions initiated by either the State or Federal Government pending against it, and agrees that it will immediately notify IHCDA of any such actions.

G. **CONFLICT OF INTEREST:** The Respondent must disclose any existing or potential conflict of interest relative to the performance of the services resulting from this RFP, including any relationship that might be perceived or represented as a conflict. By submitting a proposal in response to this RFP, the Respondent affirms that it has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant or any employee or representative of same, in connection with this procurement. Any attempt to intentionally or unintentionally conceal or obfuscate a conflict of interest will automatically result in the disqualification of the respondent's proposal or immediate termination of an awardee's contract. An award will not be made where an actual conflict of interest exists. IHCDA will determine whether a conflict of interest exists and whether an apparent conflict of interest may reflect negatively on IHCDA, should IHCDA select the Respondent. Further, IHCDA reserves the right to disqualify any respondent on the grounds of actual or apparent conflict of interest.

H. **APPEALS/PROTEST:** The Respondent may appeal/protest the award of this contract based on alleged violations of the selection process that resulted in discrimination or unfair consideration. The appeal/protest must include the stated reasons for the Respondent's objection to the funding decision, which reasons must be based solely upon evidence supporting one (1) of the following circumstances:

- a. Clear and substantial error or misstated facts which were relied on in making the decision being challenged;
- b. Unfair competition or conflict of interest in the decision-making process;
- c. An illegal, unethical or improper act; or
- d. Other legal basis that may substantially alter the decision.

The appeal/protest must be received within ten (10) business days after the Respondent receives notice of the contract award, or the appeal/protest will not be considered. All protests shall be in writing, submitted to the Compliance Officer, who shall issue a written decision on the matter. The Compliance Officer may, at his/her discretion, suspend the procurement pending resolution of the protest if the facts presented so warrant. The Respondent will receive written acknowledgement of receipt of the appeal/protest within five (5) business days of its receipt, noting the day the appeal/protest was received. Any appeal/protest regarding the funding decision made by IHCDA will be examined and acted upon by the Compliance Officer within thirty (30) days of its receipt.

2. RFP TERMS AND CONDITIONS

This request is issued subject to the following terms and conditions:

- A. This RFP is a request for the submission of qualifications but is not itself an offer and shall under no circumstances be construed as an offer.
- B. IHCDA expressly reserves the right to modify or withdraw this request at any time, whether before or after any qualifications have been submitted or received.
- C. IHCDA reserves the right to reject and not consider any or all respondents that do not meet the requirements of this RFP, including but not limited to: incomplete qualifications and/or qualifications offering alternate or non-requested services.
- D. IHCDA reserves the right to reject any or all respondents, to waive any informality in the RFP process, or to terminate the RFP process at any time, if deemed to be in its best interest.
- E. In the event the party selected does not enter into the required agreement to carry out the purposes described in this request, IHCDA may, in addition to any other rights or remedies available at law or in equity, commence negotiations with another person or entity.
- F. In no event shall any obligations of any kind be enforceable against IHCDA unless and until a written agreement is entered into.
- G. The Respondent agrees to bear all costs and expenses of its response and there shall be no reimbursement for any costs and expenses relating to the preparation of responses of qualifications submitted hereunder or for any costs or expenses incurred during negotiations.
- H. By submitting a response to this request, the Respondent waives all rights to protest or seek any remedies whatsoever regarding any aspect of this request, the selection of another respondent or respondents with whom to negotiate, the rejection of any or all offers to negotiate, or a decision to terminate negotiations.
- I. IHCDA reserves the right not to award a contract pursuant to the RFP.
- J. All items become the property of IHCDA upon submission and will not be returned to the Respondent.
- K. IHCDA reserves the right to split the award between multiple applicants and make the award on a category-by-category basis and/or remove categories from the award.
- L. The Respondent certifies that neither it nor its principals, contractors, or agents are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from utilizing federal funds by any federal or state department or agency.
- M. The Respondent understands that IHCDA will enter into contract preparation activities with the Respondent whose RFP appears to be the most advantageous to IHCDA. If at any time the contract preparation activities are judged to be ineffective, IHCDA may do the following:
 - i. Cease all activities with that Respondent.
 - ii. Begin contract preparation activities with the next highest ranked Respondent.
- N. A copy of IHCDA's most recent Contract Boilerplate is attached to this RFP. By submitting a response to this RFP, the Respondent acknowledges the acceptance of IHCDA's Contract Boilerplate and the understanding that such Boilerplate is non-negotiable.

3. PROPOSAL COVERSHEET

Name of Individual, Firm, or Business: _____

Address: _____

Phone Number: _____

Website Address: _____

Qualification Contact Person: _____

Contact Title: _____

Contact Phone: _____

Contact E-mail Address: _____

Contract Signatory Authority Name: _____

Signatory Title: _____

Signature: _____

INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

4. CERTIFICATION OF RESPONDENT

I hereby certify that the information contained in these qualifications and any attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I acknowledge that I have read and understood the requirements and provisions of the RFP and agree to abide by the terms and conditions contained herein.

I _____ am the _____ of the (type name of signatory authority) corporation, partnership, association, or other entity named as company and the Respondent herein, and I am legally authorized to sign this and submit it to the Indiana Housing and Community Development Authority on behalf of said organization.

18 U.S.C. § 1001, "Fraud and False Statements," provides among other things, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, anyone who knowingly and willfully: (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, and/or imprisoned for not longer than five (5) years.

Respondent:

Signed: _____

Name: _____

Title: _____

Date: _____

Firm name: _____