

## **INVITATION TO SUBMIT PROPOSALS FOR FAIR HEARING OFFICER**

**Issued by: MAINE STATE HOUSING AUTHORITY**

**PROPOSAL DEADLINE: NOVEMBER 8, 2021 5:00 P.M.**

### **I. PURPOSE OF THIS INVITATION**

MaineHousing is an independent state agency. The mission of MaineHousing is to assist Maine people in obtaining and maintaining quality affordable housing and services suitable to their housing needs.

Among its many programs, Maine State Housing Authority (MaineHousing) administers rental assistance programs under Section 8 of the United States Housing Act of 1937 and its Stability Through Engagement Program (STEP) both funded by the U.S. Department of Housing and Urban Development (HUD). MaineHousing also administers a fuel assistance program, Home Energy Assistance Program (HEAP), funded through the U.S. Department of Energy (DOE). All three programs require MaineHousing to offer the opportunity for fair hearings prior to it taking certain actions including termination from the program. MaineHousing has historically offered these hearings by contracting with an outside party to act as hearing officer. Section 8 and STEP hearings have traditionally been conducted in person with HEAP hearings being telephonic. All hearings are recorded at MaineHousing's expense.

MaineHousing is inviting qualified individuals and entities to submit proposals to provide fair hearing services for these programs. Minority businesses, small businesses and women's business enterprises are encouraged to respond.

### **II. SCOPE OF SERVICES**

#### **Primary Duties and Responsibilities**

- Communicate with assigned MaineHousing staff regarding hearing scheduling, exhibit submission, and distribution of filings.
- Conduct hearings in accordance with the Maine Administrative Procedures Act, applicable federal regulations, and MaineHousing program guides, utilizing C2T digital recording services or a comparable recording service acceptable to MaineHousing.
- Within program timeframes, independently prepare and submit recommended decisions to MaineHousing for consideration and final agency action.
- Handle transmission, use, access and storage of sensitive and confidential hearing materials, particularly in regard to PII (Personally Identifiable Information), in accordance with applicable regulations and best practices, including but not limited to those set forth by HUD, DOE, and MaineHousing.
- Track work performed pursuant to the Invitation for invoicing MaineHousing for services performed.
- Submit to MaineHousing invoices for services performed on at least a quarterly basis, as applicable.
- Maintain required job skills and core competencies.

#### **Skills and Core Competencies**

- Ability to communicate effectively, both orally and in writing.
- Experience in conducting quasi-judicial hearings in person and telephonically.

- Working knowledge of and experience with a recording service.
- Ability to work well with individuals from diverse cultural and economic backgrounds.
- Demonstrated good judgment and integrity.
- Ability to work independently.
- Proficiency with software applications, platforms, and protocols, such as word processing (Microsoft Word), web-based applications (including ShareFile), recording software, and electronic security protocols such as email encryption.

#### **Education and Experience**

- Juris Doctor Degree.
- Membership in the Maine Bar Association preferred.
- Experience in conducting trials or fair hearings both live and telephonic.
- Experience with the programs in question preferred..

### **III. TERM OF CONTRACT**

Any contract awarded pursuant to this Invitation to Submit Proposals (Invitation) will be for a term beginning as early as feasible after the award of the contract and will end on November 10, 2022. The contract may be extended at MaineHousing’s sole option for one or more annual extensions terms not to exceed a total of five years.

### **IV. PROPOSAL CONTENT**

Responses to this Invitation at a minimum must include the following information about the submitter (Respondent):

- A brief background of the Respondent if an entity (firm, agency, organization, etc.).
- Identify specific individuals who will be performing the services, and provide resumes for each, with details regarding the qualifications and experience in completing the types of work described in this Invitation.
- Proposed rates, to include provision for travel.
- Note whether the respondent, any principal or affiliate of the respondent, or anyone who will be paid for work culminating from this Invitation has business ties, familial relationships, or other close personal relationships with a current MaineHousing employee or commissioner or anyone who was a MaineHousing employee or commissioner within the past year; if so, please describe.
- Describe the cybersecurity protections in place with regard to any computer system or network to be used in connection with work performed for MaineHousing culminating from this Invitation.
- A statement regarding Respondent’s commitment to equal opportunity, diversity and inclusivity in internal hiring practices and policies, and regarding working relationships with women- and minority-owned firms, if applicable.
- Names and contact information of three references (other than MaineHousing) for which you have provided services similar to those described in this Invitation.
- Copies of two written decisions you have authored, redacted for PII if applicable.

### **VI. FORMAT AND DEADLINE FOR PROPOSALS AND QUESTIONS**

**All proposals must be submitted electronically to Ashley L. Janotta, Esq., MaineHousing Counsel, by email at [ajanotta@mainehousing.org](mailto:ajanotta@mainehousing.org), no later than 5:00 p.m. local time on November 8, 2021.**

Questions concerning this Invitation must be directed to Ashley L. Janotta, Esq. by telephone at (207) 624-5728 (voice) or MaineHousing Relay 711, or by email as noted above, no later than November 5, 2021.

## **V. SELECTION CRITERIA**

No formal scoring of proposals will be done. Submissions will be reviewed and evaluated by MaineHousing based on its assessment of each Respondent's capacity to meet the Scope of Services outlined herein. Upon such review, MaineHousing may schedule interviews with select Respondents. Price will be a selection factor. Any contract awarded by MaineHousing will be based on a proposal or proposals deemed by MaineHousing to be most advantageous, taking into account the factors described in this Invitation.

## **VII. ADDITIONAL TERMS AND CONDITIONS**

This Invitation is subject to the following terms and conditions:

- MaineHousing expressly reserves the right to modify or withdraw this Invitation at any time, whether before or after any responses have been submitted or received.
- MaineHousing reserves the right to reject and not consider any or all respondents who do not meet the requirements of this Invitation, including but not limited to incomplete responses and/or responses offering alternate or non-requested services.
- MaineHousing reserves the right to reject any or all respondents and not to award a contract pursuant to this Invitation, or to terminate the Invitation process at any time, if deemed to be in its best interest.
- MaineHousing reserves the right to select, and enter into a contract with, more than one Respondent, to perform work under this Invitation
- In the event a Respondent selected does not enter into the required contract to deliver the services described in this Invitation, MaineHousing reserves the right to reject the Respondent. The contract will contain standard terms of MaineHousing's professional services contract, including confidentiality provisions and provisions concerning the protection of PII.
- In no event will any obligations of any kind be enforceable against MaineHousing unless and until a written contract is entered into.
- Each Respondent agrees to bear all costs and expenses of his or her response and there will be no reimbursement for any costs and expenses relating to the preparation of responses submitted or for any costs or expenses incurred during negotiations.

## **MAINEHOUSING NONDISCRIMINATION NOTICE:**

*Maine State Housing Authority ("MaineHousing") does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, physical or mental disability, age, familial status or receipt of public assistance in the admission or access to or treatment in its programs and activities. In employment, MaineHousing does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, age, physical or mental disability or genetic information. MaineHousing will provide appropriate communication auxiliary aids and services upon sufficient notice. MaineHousing will also provide this document in alternative formats upon sufficient notice. MaineHousing has designated the following person responsible for coordinating compliance with applicable federal and state nondiscrimination requirements and addressing grievances: Lauren Bustard, Maine State Housing Authority, 26 Edison Drive, Augusta, Maine 04330, Telephone Number 1-800-452-4668 (voice in state only), (207) 626-4600 (voice) or Maine Relay 711.*