

TRANSMITTAL

To:

THE COUNCIL

Date: 06/01/2016

From:

THE MAYOR

TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.



(Ana Guerrero)

ERIC GARCETTI
Mayor



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

Office of the General Manager

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June 1, 2016

Council File: New
Council District(s): Citywide
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The Honorable Eric Garcetti
Mayor, City of Los Angeles
Room 303, City Hall
200 N. Spring Street
Los Angeles, CA 90012

Attention: Mandy Morales, Legislative Coordinator

COUNCIL TRANSMITTAL: REQUEST FOR AUTHORITY TO RELEASE THE ASSESSMENT OF FAIR HOUSING (AFH) CONSULTANT SERVICES REQUEST FOR PROPOSALS (RFP)

SUMMARY

The General Manager of the Los Angeles Housing and Community Investment Department (HCIDLA) seeks authority to issue a new Request for Proposals (RFP) for the selection of a consultant to assist the City of Los Angeles in completing its Assessment of Fair Housing Plan.

The HCIDLA plans to release the Assessment of Fair Housing (AFH) Consultant Services RFP in June 2016, upon approval of the City Council and Mayor. The AFH is a new mandate by the U.S. Department of Housing and Urban Development (HUD) to help implement HUD's 2015 Affirmatively Furthering Fair Housing (AFFH) Final Rule.

The AFFH Final Rule replaces HUD's previous Analysis of Impediments to Fair Housing Choice (AI) requirement with the new AFH Plan. HUD's AFFH Final Rule intends for localities to effectuate the essential meaning of affirmatively furthering fair housing, as defined in the Rule - taking meaningful actions that address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

HCIDLA seeks to select the most qualified contractor to assist the City of Los Angeles in carrying out the preparation and completion of a successful and meaningful Assessment of Fair Housing Plan for a timely submission to HUD by June 2017.

The source(s) of funds for this RFP is to consist of the City's General Funds for Fiscal Year (FY) 2016 – 2017, as requested by HCIDLA and recommended by the City's Chief Legislative Analyst.

Given the timeline for the AFH Plan submission to HUD, the Assessment of Fair Housing Consultant Services contract is projected to be effective in September 2016. HCIDLA estimates that the RFP process, including Mayor and City Council approval of selected contractors and funding amounts, should be completed by August/September 2016. (See Attachment A, the proposed timeline for the RFP process.)

RECOMMENDATIONS

The General Manager of the HCIDLA respectfully requests that:

1. Your office schedule this transmittal at the next available meeting(s) of the appropriate City Council committee(s) and forward it to the City Council for review and approval immediately thereafter; and
2. The City Council, subject to the approval of the Mayor, authorize the HCIDLA General Manager or designee to:
 - A) Prepare and release a Request for Proposals (RFP) for the Assessment of Fair Housing Consultant Services, subject to City Attorney review as to form.
 - B) Submit recommendations to the Mayor and City Council for the selection of the subject contractor and funding for the contract term to begin on or about October 1, 2016 to September 30, 2017, with the option to renew for up to two additional, one year contract terms, contingent upon availability of funds, satisfactory contractor performance, and need.

BACKGROUND

On July 16, 2015, the U.S. Department of Housing and Urban Development (HUD) published its Affirmatively Furthering Fair Housing (AFFH) Final Rule implementing the Fair Housing Act of 1968's obligation for jurisdictions receiving federal funds for housing and urban development to affirmatively further fair housing. The Fair Housing Act not only makes it unlawful for jurisdictions to discriminate. The law also requires jurisdictions to take actions that can undo historic patterns of segregation and other types of discrimination, and to take actions to promote fair housing choice and to foster inclusive communities. The protected classes of the Fair Housing Act are race, color, national origin, religion, sex, disability, or familial status.

The AFFH Final Rule facilitates reliance on local knowledge and local decision-making to determine best strategies for HUD grantees to meet their fair housing obligations at the local level – including

making place-based investments to revitalize distressed areas, or expanding access to quality affordable housing throughout a community.

The Assessment of Fair Housing (AFH)

HUD's Final Rule institutes a process to analyze the local fair housing landscape and set fair housing priorities and goals for jurisdictions and regions through an Assessment of Fair Housing (AFH). The new AFH replaces HUD's previously required Analysis of Impediments to Fair Housing Choice (AI). The Final Rule identifies four fair housing issues that HUD grantees such as the City of Los Angeles have to assess through their AFH Plan:

1. Patterns of integration and segregation;
2. Racially and ethnically concentrated areas of poverty;
3. Disparities in access to opportunity; and
4. Disproportionate housing needs.

The Affirmatively Furthering Fair Housing Assessment Tool

On December 31, 2015, HUD announced the availability of the Affirmatively Furthering Fair Housing (AFFH) Assessment Tool (Local Government Assessment Tool) developed by HUD for use by local governments that receive Community Development Block Grants (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grants (ESG), or Housing Opportunities for Persons with AIDS (HOPWA) formula funding from HUD when conducting and submitting their own Assessment of Fair Housing (AFH).

The purpose of the AFFH Assessment Tool is to guide local governments in undertaking a more thorough evaluation of fair housing issues in their respective jurisdictions, and assist them in goal setting to overcome issues that are barriers, among other things, to fair housing choice and opportunity. The Assessment Tool includes instructions and nationally-uniform data provided by HUD, consisting of a series of questions designed to help local jurisdictions identify economic and social factors utilizing multiple data sources, as well as analytical skills to draft a comprehensive AFH Plan.

Utilizing HUD's Data/Mapping Resources, Local Data and Local Knowledge

The Final Rule requires a more engaged and data-driven approach to assessing fair housing and planning actions. Thus, HUD grantees must also utilize HUD's data and mapping tool (online mapping suite of 17 census tract maps depicting demographic, educational, income, housing vouchers, and other data throughout the country) to complete an AFH Plan.

In addition, the AFFH Final Rule expects HUD funding recipients to supplement data provided by HUD with local data and local knowledge, such as metrics, statistics, and other quantified information, relevant to the locality's geographic areas of analysis. HUD obligates grantees to obtain local knowledge, including but not limited to, any information gathered through the community participation process. The public engagement process allows for a solicitation of public ideas, thoughts and concerns to be shared with local government entities to help inform where and how public dollars are invested. As outlined in the AFFH Final Rule, local data and local knowledge will provide the local context for the HUD-provided data.

The City of Los Angeles' AFH Submission to HUD

The AFFH Final Rule requires a jurisdiction's initial AFH Plan to be completed 270 days before its next new 5-Year Consolidated Plan (Con Plan) is due; the City's Con Plan is due April 1, 2018. Based on the City of Los Angeles' upcoming new Con Plan cycle, the City's AFH Plan is due to HUD by June 2017.

HCIDLA will prepare a joint City of Los Angeles and Housing Authority of the City of Los Angeles (HACLA) AFH Plan. HCIDLA will serve as the lead entity for the AFH, and therefore, oversee the completion and submission of the AFH Plan to HUD on behalf of the City's collaborating departments.

As the AFFH Final Rule states, joint and regional submitting agencies are both responsible for the joint portions of the AFH Plan, including joint goals, and for their own individual portions of the assessment, including their agency's individual goals and priorities. Joint submitting agencies are therefore not responsible for other agencies' individual goals and priorities, however, both a locality, HCIDLA, and the public housing agency, HACLA, are required to complete an AFH and to sign affirmatively furthering fair housing certification forms for each agency.

REQUEST FOR PROPOSALS (RFP) PROCESS

The HCIDLA proposes to issue the RFP for the Assessment of Fair Housing Consultant Services. One or more qualified individuals or firms will be selected as contractors to assist the City complete the AFH Plan.

It is anticipated that the AFH related work will commence on or before September/October 2016 for an eight to nine-month period with an option to renew or extend the agreement for two additional periods of up to one year each, for a total contract period not to exceed three years, subject to satisfactory contractor performance and ongoing needs. The RFP will be posted on the Los Angeles Business Assistance Virtual Network (LABAVN) and will be advertised in local newspaper(s).

Pending City Council and Mayoral authorization, HCIDLA would release the RFP on or after June 10, 2016 and close submission on July 15, 2016. The policies and parameters of the RFP are summarized below.

Eligible Applicants

Applicants must be in good standing with relevant regulatory oversight. Only individuals or firms having at least two years of experience completing related fair housing policies, surveys, programs, and protocols; performing data and geospatial analysis; conducting community meetings and developing networks with fair housing organizations; and preparing extensive reports including goal setting will be deemed qualified to compete for a contract (See Attachment B, Draft Scope of Work Outline). Regardless of the merits of the submission, an applicant may not be recommended for funding if it has a history of contract non-compliance or current disputed or disallowed costs with the City or any other funding source.

Evaluation Process and Criteria

On May 11, 2016, HCIDLA requested a determination from the Personnel Department, based on the provisions of Charter Section 1022, that the City does not have sufficient staff to perform the required services sought under this RFP. The request is currently under review by the Personnel Department.

Upon approval of the proposed RFP process and solicitation of proposals, an RFP evaluation team composed of HCIDLA staff or others with relevant expertise will review proposals. Each proposal will be evaluated on its own merits for content, responsiveness, conciseness, clarity, relevance, and strict adherence to the instructions in the RFP. Each proposal will be reviewed for threshold requirements and those passing threshold will be evaluated on the following categories:

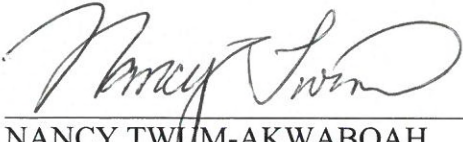
Area	Evaluation Criteria	Maximum Points
1	DEMONSTRATED ABILITY AND CAPACITY Previous work experience and staff capacity	25
2	PROGRAM DESIGN Approach to providing required scope of work services	25
3	FAIR HOUSING EXPERIENCE & KNOWLEDGE Fair housing competency and experience; knowledge of HUD's Final AFFH Rule	30
4	COST REASONABLENESS Proposed costs and budget	20
	Total Points	100

HCIDLA will notify all proposers in writing of the results of the proposal evaluations. Proposers may appeal procedural issues only by submitting a letter to the HCIDLA within five business days of receiving notification of the results of the RFP. Appeals will be reviewed by a panel of experts from HCIDLA. The City Council and the Mayor will exercise final authority in the selection of the contractor, as well as the allocation of funds to be awarded through this RFP.

FISCAL IMPACT STATEMENT

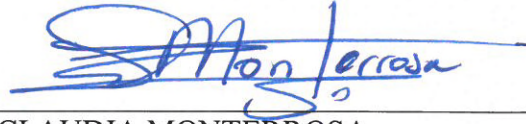
It is anticipated that HCIDLA's portion of the costs of this proposal will not exceed \$150,000. Funding for this purpose was included in the Department's General Fund budget for FY 2016-2017.

Prepared by:



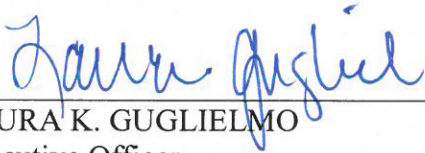
NANCY TWUM-AKWABOAH
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Reviewed by:



CLAUDIA MONTERROSA
Director, Public Policy and Research Unit

Reviewed by:



LAURA K. GUGLIELMO
Executive Officer

Approved by:



RUSHMORE D. CERVANTES
General Manager

Attachments:

- A) Assessment of Fair Housing (AFH) Consultant Services RFP Proposed Timeline
- B) Draft Scope of Work Outline for AFH Consultant Services RFP

ATTACHMENT A

**ASSESSMENT OF FAIR HOUSING CONSULTANT SERVICES
REQUEST FOR PROPOSALS (RFP)
PROPOSED CALENDAR**

	TASK	ESTIMATED DATE OF COMPLETION
1.	Authority to release RFP granted by City Council and Mayor	Week of June 6, 2016
2.	Release of RFP	Friday, June 10, 2016
3.	Mandatory Proposers' Conference	Thursday, June 16, 2016
4.	Proposals Submission Deadline	Friday, July 15, 2016
5.	Complete review of proposals/release recommendations	Friday, July 29, 2016
6.	Complete appeals process, if necessary	Friday, August 5, 2016
7.	Transmit funding recommendations to City Council and Mayor	Week of August 15, 2016
8.	City Council and Mayor approval of funding recommendations	Friday, August 26, 2016
9.	Release of award letters to proposers	Monday, August 29, 2016
10.	Begin contract execution process	Wednesday, August 31, 2016
11.	Contract start date	Monday, September 19, 2016



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

ATTACHMENT B

ASSESSMENT OF FAIR HOUSING CONSULTANT SERVICES REQUEST FOR PROPOSALS – SCOPE OF WORK OUTLINE

DRAFT

A. SCOPE OF WORK

The selected Contractor is expected to carry out the following tasks by working with the Los Angeles Housing and Community Investment Department (HCIDLA) and with the Housing Authority of the City of Los Angeles (HACLA), other City of Los Angeles staff, and technical assistance providers.

Task 1: Using the Assessment Tool and Analyzing Data/Maps to Complete the AFH

Task 1.1: Utilizing the Assessment Tool & Assessment of Fair Housing (AFH) User Interface

The Contractor will use HUD's Assessment Tool as guidance to complete the City's AFH (HUD's Affirmatively Furthering Fair Housing Rule Guidebook is to be used as a blueprint). The purpose of the Tool is to guide Los Angeles through an assessment of key fair housing issues and contributing factors in the City, including what data to use in the assessment. The Contractor is expected to follow the instructions in the Assessment Tool, which includes instructions that outline the required data sources for answering specified questions. The AFH is to include:

- Summary of fair housing issues and capacity;
- Analysis of HUD-provided data, local data, and local knowledge;
- Assessment of fair housing issues and contributing factors; and
- Identification of fair housing priorities and goals.

The Contractor is also required to utilize HUD's Assessment of Fair Housing (AFH) User Interface to upload all sections of the City's AFH for an online submission to HUD. The Contractor is to work with the City's designated User Interface Coordinator to draft, edit and save sections of the AFH throughout the completion process.

Task 1.2: Collecting Local Data and Knowledge

Local data must be used to supplement HUD provided data. Local knowledge includes, among other things, any information obtained through the community participation process. HUD is only able to provide data for those protected classes for which nationally uniform data are available. The Contractor is to assist in the gathering of local data and local knowledge,

including, but not limited to information obtained through the community participation process. Contractor is to develop an initial list of local City data needed (i.e., public housing projects, Housing Choice Vouchers, disability and access, other publicly assisted housing, etc.) prior to beginning in-depth analyses.

Task 1.3: Analyzing Fair Housing Data

The Contractor will use HUD-provided data and must supplement this data with local data and local knowledge. Data is to be used to assess the City of Los Angeles' geographic area's fair housing issues and contributing factors and to set fair housing priorities and goals; data will provide benchmarks to facilitate the measuring of trends and changes over time.

Task 1.4: Using and Analyzing HUD-Provided Maps

HUD provides various maps (i.e., showing racially and ethnically concentrated areas of poverty, dot density maps showing geographic dispersion of different racial and ethnic groups, and thematic maps showing disparities in the location of proficient schools across the jurisdiction and region) to be analyzed. Contractor is to utilize HUD's AFFH portal to access maps, data, and other information pertaining to the AFFH and Assessment Tool for completion of the AFH: https://www.huduser.gov/portal/affht_pt.html#final-rule.

Task 1.5: Creating Maps Utilizing and Gathering Local Data

Contractor is to create maps using local data specific to the City of Los Angeles, and provide geospatial analysis of findings. These maps are to represent data that HUD is not able to display in its thematic maps due to unavailability and that are responses to the AFH questions. Based on the type and purpose of the map, each map will either illustrate census tract boundaries, City Council districts, neighborhoods or all of the above.

Task 1.6: Analyzing HUD-Provided Tables

HUD provides tables which include the percentages of various races in a jurisdiction and region, the number of public housing units within a jurisdiction, and the number of residents with a particular type of disability in a jurisdiction. The Contractor is expected to analyze HUD's tables and consider various elements. For example, changes in the proportion of a population represented by a subgroup, as well as the changes to the actual number of people in a subgroup.

Task 1.7: Develop and Analyze Local Data/Local Knowledge Tables

The Contractor is to create and analyze tabular data based on local data and local knowledge that is gathered during the AFH development process. This type of data is to be used in addition, not in place of the HUD-provided tables that will also be analyzed. The Contractor is expected to develop unique tabulations based on City specific data and as requested by the City to fulfill the AFH requirements.

Task 2: Community Participation Process

Task 2.1: Consultation Meetings

The Contractor will conduct one or more consultation meetings inviting fair housing/housing advocates and professionals, agencies that provide services to special needs populations, apartment owner associations, real estate professionals, etc. The Contractor is to submit a list

of sample questions to the City for review prior to holding the consultation meetings. The Contractor is to assist the City in documenting the success of gaining community participation and if applicable, reasons for low participation; a summary of comments, views, and recommendations, received orally or in writing, etc., including those not accepted and reasons for non-acceptance. Local knowledge is to be gathered from these convenings and utilized in the development of the AFH.

City staff will be responsible for generating a list of agencies to attend the consultation meetings. The Contractor will work with staff to augment the list. The HCIDLA and HACLA will handle all advertising, outreach, and logistics for the meeting(s).

Task 2.2: Public Meetings

The Contractor is to assist HCIDLA and HACLA in the City's community participation process to satisfy the AFH requirement. The Contractor is expected to prepare and provide a presentation on the City's objective to affirmatively further fair housing at community meeting(s) and address public comments and questions. Local knowledge is to be obtained from the public gatherings and utilized in the development of the AFH.

The HCIDLA and HACLA will be responsible for locating and securing meeting site based on reaching the broadest audience possible. The HCIDLA and HACLA will handle all advertising, outreach, and logistics for the meeting(s).

Task 3: AFH Plan Development: Analysis of Fair Housing Issues and Contributing Factors

Task 3.1: Fair Housing Enforcement, Outreach Capacity, and Resource Analysis

The Contractor is to provide an analysis of fair housing enforcement, outreach capacity, and resources. This entails providing a summary of fair housing issues and capacity in Los Angeles, included but not limited to any findings, lawsuits, enforcement actions, settlements, or judgments related to fair housing or other civil rights laws, and an assessment of Los Angeles' fair housing outreach capacity. In addition, identifying any state or local fair housing laws and other factors. The Contractor is to also determine any existing gaps relative to fair housing enforcement, outreach capacity, and resources in Los Angeles affecting groups with other protected characteristics.

Task 3.2: Fair Housing Contributing Factors

The Contractor will identify fair housing contributing factors for the AFH Plan. The purpose is to assess why members of particular protected classes may experience restricted housing choice due to segregation, R/ECAPs (racially and ethnically concentrated areas of poverty), disparities in access to opportunity, disproportionate housing needs, or other fair housing issues. Contractor is to assist the City in prioritizing contributing factors and justifying prioritization of factors that are addressed by goals identified in the AFH.

The method of prioritization must give the highest priority to those factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance. The Contractor is to assist City staff in justifying the prioritization of contributing

factors, as well as guide the City in setting goals for overcoming the effects of contributing factors as prioritized.

Task 3.3: Setting Fair Housing Priorities and Goals

The Contractor is to assist the City in identifying one or more goals to overcome each of the fair housing issues for which significant contributing factors have been identified, including establishing metrics and milestones to determine what fair housing results will be achieved and the timeframes for achieving them. A discussion about set fair housing goals, including an explanation of how each goal is designed to overcome the identified contributing factor and related fair housing issue(s).

The Contractor is to guide the City in properly identifying goals and setting priorities based on findings and data.

Task 4: Public Presentation of Draft AFH Plan and Key Findings

The Contractor will submit a preliminary draft AFH to HCIDLA and HACLA for review and comments. The Contractor is to revise the AFH according to the City's and HACLA's changes, then submit subsequent drafts for the City's review. The Contractor, HCIDLA staff, and HACLA staff will attend public hearings/meetings to present the draft AFH Plan to elected and/or appointed officials.

Content of Draft AFH

The Contractor is to ensure the City's AFH is organized as outlined in HUD's Affirmatively Furthering Fair Housing Rule Guidebook. Various prompts, questions, and instructions for the AFH are to lead in creating these components of the report:

- I. Cover Sheet
- II. Executive Summary
- III. Community Participation Process
- IV. Assessment of Past Goals and Actions
- V. Fair Housing Analysis
 - a. Demographic Summary
 - b. General Issues
 - i. Segregation/Integration
 - ii. Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)
 - iii. Disparities in Access to Opportunity
 - iv. Disproportionate Housing Needs
 - c. Publicly Supported Housing Analysis
 - d. Disability and Access Analysis
 - e. Fair Housing Enforcement, Outreach Capacity, and Resources
- VI. Fair Housing Goals and Priorities

Task 5: Draft AFH Plan

Task 5.1: Response to Public Comments

The Contractor will submit the draft report to the HCIDLA and HACLA with a data library containing raw and processed files of supporting data in electronic format. After review and

acceptance of the draft report by the City, the report and supporting data will be released to the public providing them with 30 calendar days to submit their comments.

The Contractor will review and address comments received through the public comment period and prepare a revised AFH draft for approval by the City.

Task 5.2: Presentation of Draft AFH

The Contractor and City staff will attend public hearings/meetings to present the draft AFH Plan to elected and/or appointed officials.

Task 6: Submission of Final AFH Plan

After the completion and approval of the final AFH Plan by the City Council and the Mayor, the Contractor is to assist the City in submitting the AFH using HUD's online Assessment of Fair Housing User Interface for review and consideration by HUD by June 2017.

The Contractor is also expected to provide HCIDLA and HACLA with multiple bound hard copies of the final AFH Plan.

Task 7: Responding to HUD's Determination of Inconsistency/Incompleteness and other AFH Consultant Services

Task 7.1: Revision and Resubmission of AFH Plan

The Contractor is to be available to assist the City in revising and resubmitting the AFH if HUD determines within 60 days after initial submission, a portion of the AFH is inconsistent and/or substantially incomplete. In addition, the Contractor is to help the City in adhering to HUD's findings of problems and indications as to how to address issues.

The Contractor is to also provide assistance to the City by making the revised AFH available to the public for 30-days for review and comments.

After revisions are completed for the AFH, the Contractor is to support the City in resubmitting the AFH within 45 calendar days of HUD's notice. If after 30 calendar days of resubmission, HUD does not provide another non-acceptance notification, the AFH is deemed accepted and the Contractor has completed his/her duty for finalizing the AFH. If HUD does provide a second non-acceptance notification to the City, then the Contractor is to repeat the revision and resubmission process for the AFH.

Task 7.2: Obtaining Council and Mayoral Approval

If a second resubmission is required by HUD, the Contractor is expected to prepare a presentation and attend hearing(s) with City staff to obtain City Council, then Mayoral approval before resubmitting a revised AFH to HUD.