

REQUEST FOR PROPOSALS LEGAL SERVICES

The Town of Hopkinton requests fee proposals from Attorneys/Legal Firms experienced in RIGL 45.53 and related Acts for the creation of legal documents to govern compliance in a Rental Rehabilitation Program for non-owner occupied rental housing in Town.

BACKGROUND: The General Assembly of the State of Rhode Island has established law requiring most cities and towns in the state to achieve the goal of having 10% of their year round housing stock be “affordable” to households of low to moderate income. Relative to rental housing, there are four main compliance points for units to “count” on the inventory of affordable housing:

1. The units must be occupied by households at or below 80% of median income (as defined by HUD) for the municipality in which they exist and be available at “affordable” rents;
2. The units must have a local, state or federal subsidy and;
3. The units must be under contract with a R. I. Housing approved Monitoring Agent and be annually reviewed for compliance with household income and rent requirements and;
4. The units must remain affordable for a period of not less than 30 years.

Hopkinton believes, as do some other communities, that it has existing rental units that generally qualify as “affordable” but cannot be listed on the inventory as they lack a subsidy and a Monitoring Agent.

PROGRAM: The Town of Hopkinton sought and received federal Community Development Block Grant (CDBG) funds from HUD through the State of Rhode Island to implement a housing rehabilitation program for non-owner occupied rental units in Town. This resource will satisfy the requirement that a local, state or federal subsidy be attached to the unit (CDBG generally is considered to be both a local and a federal subsidy). Hopkinton has also arranged to pay the initial contracting fee of the Community Housing Land Trust (CHLT) to be the Monitoring Agent for initial eligibility review of units under consideration for this program. Annual recertification reviews are the responsibility of the unit owner(s).

LEGAL SERVICES: The Town of Hopkinton wishes to provide CDBG assistance to owners of eligible rental housing units for rehabilitation of these units as a forgivable loan in exchange for a guarantee of 30 years of housing affordability as defined in RIGL 45.53 and related Acts. To that end, the Town of Hopkinton seeks legal assistance in creating documents that can secure the debt and enforce the compliance of owners through the term of affordability. Hopkinton envisions these documents taking the form of a Mortgage with an associated Deed Restriction but will seek the advice of the successful legal counsel. Locally, some stakeholders are thinking

that the debt may take the form of a reducing liability on the part of the owner as time progresses while others think that may trigger repayment of the smaller eventual financial obligation to prematurely be relieved of the affordability requirements. Again, advice of Counsel will be sought.

SUBMITTALS: Interested Attorneys/Legal Firms will submit three (3) paper copies and one (1) electronic copy of their proposal. Proposals will consist of the fee proposal, documentation of legal experience in implementing 45.53 and related Acts and in creating legal documents to that end, carry the cost of 2 local meetings and up to 3 drafts of legal documents. The ultimate resulting legal documents need to be structured such that they may be used by municipalities other than Hopkinton for implementing similar programs.

EVALUATION: Proposals will be evaluated on the basis of:

- Cost
- Experience as requested
- Readiness to proceed

The Affordable Housing Partnership of the Town of Hopkinton, the Town Planner, the Town Manager and the Director of the Community Development Consortium will review the submittals and determine the desired legal consultant.

SUBMISSION INSTRUCTIONS: The submission of the requested proposals will be due to the Town Clerk's Office, Hopkinton Town Hall, 1 Town House Rd, Hopkinton RI 02833 on or before Wednesday, November 30th, 2016 at 3:00 P. M. local time. The proposals will be opened and read aloud in the Council Chambers at Town Hall at 3:15 P. M. Questions on this request may be addressed to Geoffrey A. Marchant, Director, Community Development Consortium at (401) 886.3213.