

REQUEST FOR PROPOSAL

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING



REQUESTED BY:
THE CITY OF SCRANTON, PENNSYLVANIA

DEPARTMENT OF ECONOMIC AND COMMUNITY
DEVELOPMENT

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***PROPOSALS MUST BE SUBMITTED BY MONDAY,
JULY 6, 2015 AT 2:00 P.M. CITY CONTROLLERS
OFFICE***

City of Scranton, Pennsylvania

**Office of Economic and Community Development
Municipal Building
340 North Washington Avenue
Scranton, PA 18503**

**ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND HOUSING NEEDS
ASSESSMENT**

REQUEST FOR PROPOSAL (RFP)

The City of Scranton is inviting qualified consulting firms to submit proposals for the *Analysis of Impediments to Fair Housing Choice and Housing Needs Assessment* to assist the City develop the planning documents required by the United States Department of Housing and Urban Development (HUD). Scranton is located in Northeastern Pennsylvania with a population of 76,089 based on the 2010 Census and is one hundred, twenty-five miles northeast of Philadelphia. Scranton was incorporated as a borough on February 14, 1856, and as a city on April 23, 1866.

INTRODUCTION

The City of Scranton is a designated Participation Jurisdiction receiving Community Development Block Grant, HOME Program and Emergency Solution Grant funding through the U. S. Department of Housing and Urban Development (HUD). The funding for the Analysis of Impediments and Housing Needs Assessment is made available through the HOME Program and are subject to the regulations under Title 24, Part 92 of the Code of Federal Regulations entitled HOME Investment Partnerships Program.

I. DESCRIPTION OF ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI)

A. The AI is a review of impediments to fair housing choice in the public and private sectors; Impediments to fair housing choice are defined as:

(1) Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choice.

(2) Any action, omissions, or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

B. The AI involves:

(1) A comprehensive review of the City's law, regulations, and administrative policies, procedures and practices

(2) An assessment of how those laws, etc. affect the location, availability and accessibility of housing

(3) An assessment of the conditions, both public and private, affecting fair housing choice for all protected classes.

C. The components of the AI include:

(1) An examination of the City of Scranton's housing market and prevalent public practices in related transactions as they directly or indirectly impact housing choice. Private transactions need to be evaluated with respect to laws, ordinances, regulations, policies, procedures, mortgage lending, insurance sales and underwriting, property appraisal, realtors, mortgage brokerage and property management.

(2) An explanation of how areas were evaluated, what was found, proposed methods to address identified impediments, identification of potential financial and organizational resources to implement the corrective action.

(3) A process for obtaining input from citizens in the community, especially those for whom fair housing is a concern by holding public meetings or other forums.

The AI should be completed in accordance with HUD's Fair Housing Planning Guide (See Attached).

SCOPE OF SERVICES

The consultant will collaborate with the City of Scranton's Office of Economic and Community Development (OECD) in the identification, development, scheduling and implementation of activities designed to complete a HUD acceptable Analysis of Impediments to Fair Housing Choice and Housing Needs Assessment. Scope of work includes but is not limited to the following:

A. Analysis of Impediments to Fair Housing:

1. An examination of pertinent data including demographic, income, employment and housing data as well as studies that have been completed that relate to fair housing.

2. A review of prior and current activities that propose fair housing, including an assessment of agencies currently providing fair housing programs in the area.

3. An examination of private market issues that relate to the sale or rental of housing, the provisions of brokerage services, mortgage lending, insurance sales and underwriting, property appraisal and property management.

4. An evaluation of public policies and practices which affect the provision of fair housing including but not limited to: public services, planning and zoning laws and

decisions, land use regulations, community development policies and practices, procedures and practices of the local public housing authority and property tax policies.

5. An identification of impediments to fair housing based on the above work as well as proposed methods of correction to address identified impediments. A listing of impediments in order of priority to assist the City in determining further action.
6. Conclusions and recommendations for action, including recommended actions to overcome identified impediments to fair housing choice, milestones, timetables, and measurable results.

II. CITY STAFF PARTICIPATION:

The City of Scranton will expect the consultant to have the capacity to exercise independent judgment and to perform those actions necessary to achieve the project objectives in a manner consistent with those expected of senior technical and management staff. While the consultant will be working under the general direction of the Executive Director, it should be understood the City has limited professional staff capacity to support the project and will rely on the personnel, experience and expertise of the consultant to ensure all necessary components of the process are completed in a timely manner.

The City will provide copies of all existing plans, data and documents including:

1. Contact lists of local agencies, neighborhood organizations, special interest groups and others to be invited to participate in the process
2. Copies of zoning, subdivision and related land use regulations
3. Information and recommendations developed by the Continuum of Care
4. 2015-2019 Consolidated Plan that is currently under review by HUD and any Annual Action Plans.
5. Current community development programs, policies and incentives, neighborhood support strategies, capital improvement plans, and related materials
6. Related HUD data

III. REQUIREMENT FOR PROPOSAL SUBMITTAL

A. Qualifications:

1. Firm/individual name, address, phone number, name of authorized representative
2. Type of work typically performed by the firm
3. Related project experience and listing of reference the City may contact relative to the qualifications of the firm.

B. Planning Process for the completion of the project:

1. Timetable and proposed phases of the work
2. Detailed project budget, including number of staff hours and hourly rate, and all non-personal cost – LUMP SUM BID to include all expenses.
3. Anticipated amount of assistance from City staff, such as research, staff briefing, setting appointments with community leaders and organizations, etc.

IV. SCHEDULE OF EVENTS

The anticipated schedule of events is as follows. The City of Scranton in cooperation with the selected consultant may need to update this schedule as needed.

Legal Ad (In area newspaper)	Monday, June 29, 2015
Proposal Due Date	Monday, July 6, 2015
Review proposal and select consultant	Monday, August 10, 2015
Introduce Resolution to Scranton City Council	Thursday, September 3, 2015
Resolution passed by Scranton City Council	Thursday, September 10, 2015
Project Start Date	Monday, September 28, 2015
Consultant submit first draft	Monday, November 2, 2015
Public Comment Period	Monday, November 9, 2015 to Monday, December 7, 2015

Consultant makes revisions	Tuesday, December 14, 2015
Public Hearing	Thursday, January 7, 2016
Consultant submits Final AI	Monday, January 14, 2016
City submit Final AL to HUD	Monday, January 25, 2016

V. EVALUATION CRITERIA

The City of Scranton reserves the right to select a vendor for this project from written proposals submitted. Proposal will be reviewed against the following criteria:

Proposal Evaluation Criteria	Points
1) Qualifications of the project manager and consulting team in working on similar projects with government Community, Planning & Development (CPD) entitlements	15
2) Proposed designed approach of the AI components and compliance with federal regulatory requirements	15
3) Overall proposed quality, clarity, feasibility, and potential effectiveness in addressing the purpose described in the RFP	20
4) Prior experience of the firm in gathering and analyzing data, conducting interviews, facilitating stakeholders meetings, and framing sensitive issues as they relate to the production of housing and housing choices	15
5) Knowledge and familiarity of Scranton and/or Northeastern Pennsylvania	5
6) Firm demonstrated knowledge of HUD or other federal programs which subsidize housing assistance or development for low income persons	10
7) Cost of AI Plan development	20
Total Points	100

City of Scranton may request an interview of some or all of the proposers. The final selection and contract approval will be made by the City of Scranton.

VI. PROPOSAL SUBMISSION:

Submit one (1) original and two (2) copies of your proposal with qualifications and lump sum bid amount to include all expenses to the Scranton City Controller, no later than **Monday, July 6, 2015 at 2:00 p.m. (EST)**. All late or incomplete submittals will be rejected. No verbal, electronically or faxed submittals will be accepted. Must be stamped in by the City Controller by no later than 2:00 p.m. Submittals must be addressed to:

HOUSING NEEDS ASSESSMENT AND IMPEDIMENTS TO FAIR HOUSING PROPOSALS

**Scranton City Controller
City Hall
340 North Washington Avenue
Scranton, PA 18503**

The City of Scranton is an Equal Opportunity and Affirmative Action Employer. Minority Business Enterprises, Small Businesses and women-owned firms (MWBE) are encouraged to submit statements or proposals. If additional information is required, please call (570) 348-4216.

VII. REJECTION OF PROPOSAL

The City of Scranton reserves the right to reject any and all proposals. Proposals, may, at the City of Scranton's option be rejected if they contain any alteration, additions, conditions, alternatives or irregularities of any kind or that are incomplete. This solicitation for RFP is not a contract or commitment of any kind.

The City of Scranton is not liable for costs or expenses incurred in the preparation of the respondent's RFP. It reserves the right to issue supplementary information or guidelines related to this RFP. Notwithstanding any other provision herein, the City of Scranton reserves the right in its sole discretion to waive minor technical deficiencies in the bids. It is the policy of the City of Scranton to assure equal opportunity to all persons, in the award and performance of any contract, without regard to race, color, sex, religion, national origin, ancestry, age, marital status, physical or mental disability, or sexual orientation.

VIII. OTHER AREAS OF INQUIRY

1. Discriminatory actions based on language/cultural barriers or physical/mental disability and special needs of these population
2. Compliance with accessibility requirements in construction of multi-family units
3. Effectiveness of mobility programs to encourage desegregation

IX. IDENTIFICATION OF ALL PUBLIC AND PRIVATE SECTOR FAIR HOUSING ACTIVITIES

A. Fair Housing Enforcement

- (1) Identification of fair housing enforcement
- (2) Role/responsibilities/limitations and quantifiable accomplishments

B. Fair Housing Education

- (1) Identification of local fair housing education or fair housing advocacy
- (2) Description of activities

X. Identification of Data Sources

In developing the report, the consultant shall include those groups which represent special interest, such as handicapped or disabled and low and moderate income representative groups, and those which are in the housing arena such as housing advocacy groups to assure that the needs of all citizens are addressed in the analysis. The consultant is expected to identify all sources of information in an appendix and to directly attribute information within the body of the report where appropriate.

**U. S. DEPARTMENT OF
HOUSING AND URBAN
DEVELOPMENT (HUD)**

**Fair Housing Planning
Guide**

A New Assessment Process to Affirmatively Further Fair Housing

Purpose of This Document

This document outlines the Department of Housing and Urban Development's (HUD) proposed strategy to refine and improve the process currently known as the Analysis of Impediments to Fair Housing Choice (AI), which HUD grant recipients must undertake in keeping with their obligation to 'affirmatively further fair housing' (AFFH).¹ HUD seeks public comment on this proposed approach and will incorporate all ideas that effectively enhance the spirit and requirements of the Fair Housing Act. While HUD drafted this proposal principally for HUD program participants, including states, local governments, and public housing agencies, HUD hopes that a broader audience of civil rights advocates, affordable housing developers, community development organizations, academics, housing development agencies, and other members of the public interested in fair housing in their communities will provide input. The goal of the proposed rule is to address concerns raised by the Government Accountability Office (GAO) and stakeholders about the current AI process in order to better equip communities to fulfill their fair housing obligations and plan in a manner that promotes fair housing choice.

Background: Why is HUD Updating Its Affirmatively Furthering Fair Housing Process?

AFFH is a legal requirement that federal grantees further the purposes of the Fair Housing Act. For too many people, housing choices can be constrained through housing discrimination, the operation of housing markets, investment choices by holders of capital, the history and geography of regions, and patterns of development and the built environment. These factors and others can result in segregation, racially concentrated areas poverty, and unequal access to vital community assets that can shape life outcomes. HUD aims to improve on the current regulatory structure by providing communities with robust data and a framework for assessment that will help them to identify where fair housing challenges and opportunities exist. HUD designed the structure in the proposed rule to provide grantees more explicit direction about what HUD expects from grantees when they assess fair housing conditions and the standards that HUD will use in determining compliance with the regulation. While HUD will provide better guidance on the scope of the required assessment and link that assessment into housing and community development planning, it is local decision makers who will ultimately identify their fair housing goals and the appropriate actions they will take.

¹ See Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3608 and Executive Order 12892. This obligation has been in the Fair Housing Act since 1968.

HUD is specifically looking to address shortcomings under the current regulatory scheme for AFFH that it has recognized, along with the GAO, grantees, and outside advocacy groups. These include:

- **Need for Clearer Guidance, Standards, and Oversight.** The AI is generally defined in the Fair Housing Planning Guide, but the parameters for the analysis are not clear enough, HUD provides no data, and the standards of review are not transparent.
- **No Integration into Planning Processes.** The current AI has no regulatory expiration and fair housing strategies are not explicitly required in the Consolidated Planning or public housing planning process, meaning that there is limited synchronization with the housing and community planning process and investment plans.

The proposed AFFH rule therefore has several aims:

- Increase transparency by ensuring a robust public process for assessing fair housing planning and explicitly linking this input to public investment plans (e.g., Consolidated Plans, PHA Plans, and Capital Fund Plans).
- Improve compliance by equipping grantees with a clear framework and mandating early HUD review of assessments of fair housing so that program participants will have greater security that they have met planning standards from the outset.
- Reduce data collection costs and make analysis easier by providing consistent national data and tools to assist in interpreting that data.
- Synchronize the assessment process with the investment planning process by requiring regular updates to assessments of fair housing that are linked to the consolidated and PHA planning cycles, linking fair housing goals to strategies, actions, and reporting on outcomes.

A New Approach, A New Partnership

In order to aid in the development of robust community planning informed by fair housing, HUD proposes to provide states and local jurisdictions that receive direct Community Development Block Grant (CDBG) funding and public housing agencies (PHAs) with a clear definition of what it means to affirmatively further fair housing, a standardized assessment process with supporting data, and guidance and technical assistance.

The updated approach to AFFH sets out four clear fair housing goals for all communities to ensure greater opportunities to for all Americans:

- 1) Reduce segregation, and build on the nation's increasing racial, geographic and economic diversity.
- 2) Eliminate racially and ethnically concentrated areas of poverty.

- 3) Reduce disparities in access to important community assets such as quality schools, job centers, and transit.
- 4) Narrow gaps that leave families with children, people with disabilities, and people of different races, colors, and national origins with more severe housing problems, aka., disproportionate housing needs.

Under the proposed rule, the AI would be replaced by a new Assessment of Fair Housing (AFH), and the chart below summarizes the proposed AFH structure. The proposed structure for the AFH contemplates four basic steps. To begin the process of crafting the AFH, HUD would provide jurisdictions and PHAs with data on the core goals. HUD would also provide data on disproportionate housing needs as well as outstanding discrimination findings. The jurisdiction or PHA would use this data, through a HUD-provided template, to analyze fair housing issues in the community and identify goals that would inform the investment planning process. At each point, the process of developing the AFH would include engagement with the public and key stakeholders to inform conclusions with local issues and concerns. The final product would be refined based upon review and support by HUD, and then incorporated into housing and community development plans.

Part One: Data Delivery	HUD would provide each grantee with the data necessary to be able to assess fair housing issues in its community.
Part Two: Local Analysis	Using the HUD data and available local measures and input, each jurisdiction or PHA would analyze its fair housing issues and provide a complete AFH to HUD, including fair housing goals.
Part Three: Review & Response	HUD would review each AFH within 60 days of submission and either accept the AFH based on a completeness review standard, or explain why the AFH is incomplete and what the participant must do to have it accepted.
Part Four: Incorporation into Planning and Subsequent Action	The AFFH goals identified in the AFH would be used to inform the strategies and actions of the Consolidated Plan, the Annual Action Plan, the PHA Plan, and the Capital Fund Plan.

What Would the New Assessment of Fair Housing Look Like?

The AFH that would result from this process would contain three parts:

- 1. The Executive Summary:** an overview of the jurisdiction's AFH public process; the fair housing issues; the fair housing infrastructure and capacity in the community plus any findings; and the fair housing goals and priorities.
- 2. The Analysis:** a discussion of the local demographic profile; the state of neighborhood segregation and integration; the prevalence of racially/ethnically concentrated areas of poverty; neighborhood disparities in access to community assets by protected classes; and housing needs across protected classes.
- 3. Fair Housing Priorities and Goals:** a summary of the leading fair housing challenges and opportunities in the community and the prioritized goals for progress.

The AFH Analysis: A Closer Look

Each jurisdiction or PHA would be asked to take a look at a series of fair housing issues in order to establish a basic view of where the community stands and to help outline effective goals and strategies for healthy neighborhood and regional development.

The analysis would fall into **five major categories** and would be aided by maps and data provided by HUD (local data may also be used when appropriate and helpful):

- 1. Demographics.** The analysis would start with the make-up of the community across a number of characteristics HUD would outline. This step is important because it establishes the foundation for all of the analysis that follows.
- 2. Segregation and Integration.** The analysis would examine patterns of integration and segregation across the region. This is essential because in order to affirmatively further fair housing, a jurisdiction must identify actions that increase fair housing choice. Research has consistently shown the negative social and economic impacts of segregation and, similarly, has found that integrated neighborhoods are often stronger and more resilient.
- 3. Racially/Ethnically Concentrated Areas of Poverty.** The AFH would include an analysis of racially and ethnically concentrated areas of poverty,

which is important because families who live in such neighborhoods encounter challenges and stresses that hinder their ability to reach their full potential, and such neighborhoods impose extra costs on nearby communities and the broader region.

4. **Neighborhood Disparities in Access to Community Assets.** Having access to good schools, safe streets, quality jobs, effective public transportation, recreation and other social services helps facilitate a good quality of life and improved life outcomes. Unfortunately, research has shown that racial and ethnic minorities, individuals with disabilities, and other protected classes often have less ability to access these vital amenities. It is for this reason that the jurisdiction or PHA would be asked for a 'disparities' analysis.
5. **Housing Needs Across Protected Classes.** The last section of the analysis would examine housing cost burdens, overcrowding (especially for large families), and substandard housing conditions for racial and ethnic minorities, people living with disabilities, and other protected classes.

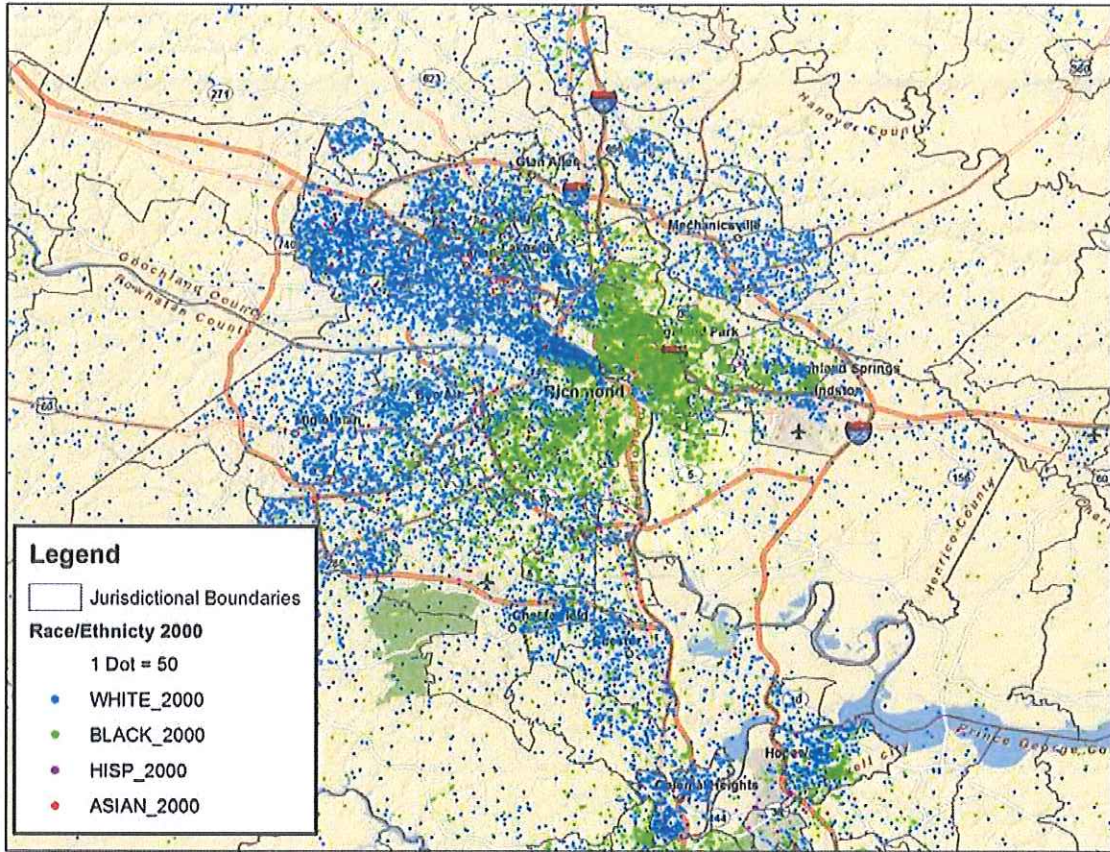
Acting on the Analysis

Upon completing the analysis, program participants would identify the primary determinants influencing the fair housing conditions in their communities; prioritize which of these conditions to address and set out why they have chosen those priorities; and set one or more goals for mitigating or addressing their determinants. Once HUD accepts the AFH, program participants would then incorporate the AFH findings into subsequent Consolidated Plans and PHA plans and use the AFH to inform investments made under those plans.

HUD Data Samples

As previously mentioned, HUD will provide grantees with data tools in the form of tables and maps that will form the foundation of the analysis. Examples of this data are shown below.

Geospatial data: Grantees would be able to map out a variety of data, such as this population dot density map, which would provide a visual orientation to the community.



Tabular data: HUD would also provide tabular data that would provide the numerical details necessary for effective analysis and decision-making, such as this metropolitan area demographic table.

	2010	2000	1990
Total Population	1,258,251	996,512	865,640
White	754,328 (62%)	636,571 (64%)	590,648 (68%)
Black or African American	370,775 (30%)	300,457 (30%)	252,340 (29%)
Asian	38,940 (3%)	20,491 (2%)	11,864 (1.4%)
Hispanic/Latino	63,289 (5%)	25,441 (3%)	9,327 (1.1%)

Persons with disabilities*	140,238 (11%)	162,108 (18%)	
Households with children under 18 years	162,998 (33%)	140,975 (36%)	120,074 (36%)
Households with persons 65 and over	112,415 (23%)	79,727 (21%)	70,192 (21%)

Bringing It All Together

The new Assessment of Fair Housing is designed to move far beyond satisfying a technical reporting requirement to a new level of community planning regarding local fair housing issues. The AFH process begins with honest and inclusive community conversation and culminates in shaping the action plans that strengthen our neighborhoods and provide the strongest possible foundation for families. HUD seeks a new partnership with the communities we serve where our collective economic development and civil rights wisdom is put to work on behalf of individuals and families striving for the American Dream.