

**SOLICITATION TYPE: INFORMAL REQUEST FOR PROPOSAL (IRFP)**  
**SOLICITATION NUMBER: 325-21-400-073**

**PURPOSE:** The state of North Dakota, acting through its Department of Human Services, Economic Assistance Policy Division (State) is requesting proposals for entities that will agree to offer no-cost **mediation services** to renters and housing providers who wish to participate in the ND Rent Help (NDRH) program. State anticipates funding up to 30 awards with each award being up to \$48,300, depending on volume of services delivered under this IRFP.

**CONTACT PERSON:** The Procurement Officer is the point of contact for this IRFP. All questions regarding this solicitation must be directed to the Procurement Officer.

Procurement Officer: Amy Jangula Johnson  
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**SCOPE OF WORK:** Alternative Dispute Resolution (ADR) is a way of settling disputes outside of litigation and the courtroom. Mediation is a type of ADR; it is a proven effective eviction prevention practice and an essential element of a comprehensive housing stabilization strategy. Quality mediation services, when paired with other elements of ND Rent Help's housing stabilization program, including rental and utility assistance, relocation assistance, and housing facilitation supports, can be an effective means of eviction prevention.

State intends to enter into a contract with successful offerors to deliver Mediation Services to renters and housing providers who are participating in the ND Rent Help program. A Mediator will be made available to program participants who are deemed to be at risk for further housing instability due to conflict that is present in their housing relationship.

Mediation services will be available both pre-filing and post-filing with a focus on pre-filing referrals. The Mediator will meet with both parties and work to negotiate a solution as per the Code of Mediation Ethics ([https://www.americanbar.org/content/dam/aba/administrative/dispute\\_resolution/dispute\\_resolution/model\\_standards\\_conduct\\_april2007.pdf](https://www.americanbar.org/content/dam/aba/administrative/dispute_resolution/dispute_resolution/model_standards_conduct_april2007.pdf)). Mediation services can be provided in-person or online through Teams, Zoom, or another similar synchronous video conferencing platform.

Mediators will be eligible to receive payment of \$2,100 for a mediation that is referred to them by ND Rent Help and that is completed according to the procedures in N.D.R.Ct. 8.8.

**QUALIFICATIONS:** To be eligible to participate as a Mediator in ND Rent Help, services must be delivered by an individual who is listed on the ND ADR Neutral Roster. If the offeror is an organization (not an individual), the organizational entity must commit to delivery of services by qualified mediators as described above.

**TIMELINE and EXPECTATIONS:** Successful offerors are expected to be available to accept referrals from ND Rent Help within 15 days of signing a contract with State. Offerors who are selected will be included in the ND Rent Help mediation program roster; successful offerors may refuse to accept a referral from ND Rent Help based on availability, conflict of interest, or as otherwise mutually acceptable to State and successful offeror.

Offerors shall provide evidence of each mediator's credentials as outlined in this IRFP, as well as evidence of a completed background check.

Each successful offeror shall, on a monthly basis, report to State its activities and elements of performance under this program to include, but not limited to:

- Number of referrals received (accepted, declined, pre-filing, post-filing).
- Number of initial contacts made (renter, housing provider).
- Services delivered by mode of delivery (in person, online).
- Outcome of completed mediation agreements (repayment, coordinated move, etc).
- Number of referrals requiring court intervention.

Services provided by successful offerors under this contract are anticipated to continue through September 30, 2022, with the option to renew the contract for an additional period(s) of time, not to exceed 18 months total, based on funding and programmatic needs.

**CONTRACT AND BUSINESS ASSOCIATE AGREEMENT:**

State intends to enter into a Purchase of Service Agreement and Business Associate Agreement (BAA) with each successful offeror, effective November 1, 2021, through September 30, 2022. The successful offerors will be sent a contract and BAA to sign and return to State. The successful offerors shall comply with the contract provisions set out in the "Sample Purchase of Service Agreement" document, attached as Attachment A, and the "Business Associate Agreement" document, attached as Amendment B, which are both made a part of this solicitation.

Any concerns or proposed changes regarding the contract and BAA provisions must be submitted, in writing, to the Procurement Officer. Any proposed changes to the contract and BAA provisions must be set out in the offeror's proposal, including any supplemental terms and conditions. No alterations of these provisions will be permitted without prior written approval from State.

**PROPOSAL FORM AND CONTENT:** Offerors shall submit proposals with the following information:

Introduction

1. Complete name and mailing address of offeror's organization;
2. Name, title, mailing address, telephone number, fax number, and e-mail address of the person State should contact regarding the proposal;
3. Offeror's fiscal year;
4. Offeror's taxpayer identification number;
5. Form of business entity, ex. corporation, partnership, proprietorship, limited liability company;
6. A statement disclosing any instance where the firm or any individual working on a contract resulting from this solicitation has a possible conflict of interest and, if so, the nature of that conflict;
7. Name and title of the individual authorized to bind the offeror legally; and
8. A signature of a company officer empowered to bind the offeror.

An offeror's failure to include these items may cause the proposal to be determined to be non-responsive and may be rejected.

Geographic Coverage – Offeror shall assure adequate access to assistance for rural and urban renters, people with disabilities, people with language barriers, and other potentially underserved populations.

Technical – Offeror shall provide the following:

1. Describe experience in providing mediation services, including in matters involving risk of housing instability. Describe the qualifications of individuals who will deliver services as per the IRFP.
2. Describe communities and/or regions served by your organization, including a description of any specialized client groups served and types of services delivered.

3. Describe capacity to deliver the services described in the IRFP Scope of Work, including evidence of inclusion on the North Dakota ADR Neutral Roster, and a brief summary of experience and credentials of both existing and/or any new staffing relationships proposed in the response.

Capacity – Offeror shall describe its ability to demonstrate that they have sufficient organizational and workforce capacity to deliver the requested service in the timeframe and manner prescribed in the offering.

**EVALUATION:** Proposals will be reviewed for responsiveness to all material requirements of this solicitation. State will make awards to help ensure availability of services to under-served and hard-to-reach households, housing providers, and system partners. Responses will be scored using 100 possible points as follows:

Geographic Coverage – 20 of the total possible evaluation points will be assigned to this criterion.

1. Does the offeror’s proposal help State assure adequate access to assistance for rural and urban renters, people with disabilities, people with language barriers, and other potentially underserved populations?

Technical - 70 of the total possible evaluation points will be assigned to this criterion.

1. How much experience does the offeror have in providing mediation services, including matters involving risk of housing instability? How well does the offeror describe the qualifications of individuals who will deliver services as per the IRFP?
2. How well does the offeror describe communities and/or regions served by its organization, including a description of any specialized client groups served and types of services delivered?
3. How well does the offeror describe capacity to deliver the services described in the IRFP Scope of Work, including evidence of inclusion on the North Dakota ADR Neutral Roster, and a brief summary of experience and credentials of both existing and/or any new staffing relationships proposed in the response?

Capacity – 10 of the total possible evaluation points will be assigned to this criterion.

1. How well did the offeror describe its ability to demonstrate that they have sufficient organizational and workforce capacity to deliver the requested service in the timeframe and manner prescribed in the offering?

Cost – 0 points. State’s expectation is that all proposals will be priced at \$2,100 per completed mediation and, therefore, cost will not be a component of the evaluation criteria.

**SUBMISSION INSTRUCTIONS:** Offeror shall submit its proposal, in writing, to the Procurement Officer and must be received no later than **October 15, 2021, at 4:00pm CT** by email. State will continue to accept proposals past the October 15, 2021, deadline, however, proposals will only be awarded until funding has been exhausted. State reserves the right to reject any late proposals received after the October 15, 2021, deadline. Offeror assumes the risk of the method of dispatch chosen. State assumes no responsibility for delays caused by any delivery service. Postmarking by the due date will not substitute for actual receipt of a proposal by State.

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ATTACHMENT:

- A. Sample Purchase of Service Agreement
- B. Business Associate Agreement
- C. Evaluation Tool