



MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

REQUEST FOR SERVICE PROVIDERS

DATE OF ISSUE: JUNE 18, 2014

TO: Potential Providers of Services

RE: Seeking Loan Modification Work-Out Organizations for Listing on Website

I. Services Sought by Authority

Because many homeowners struggle through the loan modification process and would greatly benefit from the guidance of a reputable loan work-out expert, the Michigan State Housing Development Authority, Homeownership Division (“MSHDA” or “Authority”) is seeking organizations authorized to do business in Michigan to:

- Post company information on the MSHDA web site for interested homeowners in need of mortgage loan work-out assistance who are otherwise ineligible for assistance under the federal Hardest Hit assistance program(s).
- Guide homeowners to the best homeownership alternative such as: Loan Modification, Cash for Keys, Deed in Lieu of Foreclosure, and Short Sales.

This Request for Service Providers is not to engage in a contract for services with funds available for these services, but is for placement of company information of the prospective service provider (“Service Provider”) on our web-site for needy homeowners to turn to if they deem it necessary or beneficial.

This listing of Service Providers will be provided for the benefit of needy homeowners seeking additional services and should not be viewed by the Service Provider as a MSHDA endorsement or contractual agreement with MSHDA. Finally, MSHDA reserves the right to maintain and/or terminate the listing as it deems appropriate.

A detailed description of services to be provided is described in the Scope of Work attached and incorporated into this Request for Service Providers as Exhibit A.

II. Required Qualifications

The Authority has identified the following qualifications that it believes are necessary for successful performance and completion of the services described in Exhibit A - Scope of Work. The Service Provider must:

- A. Have experience providing the services described in the Scope of Work or similar services, including the following:

1. A minimum of 5 years' experience in the field of successful loan modifications for homeowner work-out transactions.
 2. Demonstrable knowledge of all foreclosure legislation in the State of Michigan.
 3. Knowledge and experience on all secondary market loan work-out rules and regulations. (Fannie Mae, Freddie Mac, etc.)
 4. Authorized to conduct business in the State of Michigan.
- B. Assign experienced personnel to perform the services or have personnel supervised by experienced staff.
- C. Be a Michigan entity (limited partnership, limited liability company, for-profit corporation or non-profit corporation), or authorized to do business in the State of Michigan. Provide organizational documents, including all certificates and amendments. For non-profits, provide evidence of 501(c)(3) status from the IRS. The Service Provider will be required to submit the following forms based on the type of entity:
1. A foreign (non-Michigan) or domestic corporation or limited liability company must be licensed to do business in Michigan. The firm must submit with the proposal a *Certificate of Good Standing* issued by the Department of Licensing and Regulatory Affairs that is dated no earlier than 30 days prior to the submittal date of the proposal. Provide address of registered agent or office. (Reference Exhibit B, attached and incorporated into this Request for Service Providers).
 2. A foreign (non-Michigan) or domestic limited partnership must be authorized to do business in Michigan. The firm must submit with the proposal a *Certificate of Fact – Not Cancelled* issued by the Department of Licensing and Regulatory Affairs that is dated no earlier than 30 days prior to the submittal date of the proposal. Provide address of registered agent or office. (Reference Exhibit B, attached and incorporated into this Request for Service Providers).
- D. Have an office or a registered agent in the State of Michigan.
- E. Have phone, internet, and e-mail access. Internet and e-mail access must be adequate enough to allow the Service Provider to receive, download and upload data, files and attachments from Authority staff.

III. Submitting Application Packet

Service Providers wishing to submit an application packet must submit one (1) original and one copy of the original. The application packet must address how the services described in Exhibit A - Scope of Work attached and incorporated into this Request for Service Providers will be delivered. Submitted application packets must respond to and address the questions listed in Exhibit B - Proposal Instructions and Selection Criteria attached and incorporated into this Request for Service Providers.

Application packets submitted to the Authority by Service Providers must be postmarked no later than July 31, 2014.

The Authority shall not be liable for any costs that a firm or individual may incur while preparing an application packet.

The Authority shall not be liable under any contract or agreement that may arise from a relationship between the service provider and potential homeowners seeking assistance from the Service Provider.

IV. Selection of Service Providers

Service Providers demonstrating the ability to provide the services described in Exhibit A – Scope of Work who meet the Selection Criteria set forth in Exhibit B attached and incorporated into this Request for Service Providers will be included in the Authority's list of service providers.

V. Communications with Authority Staff Prior to Selection of Service Providers

Any questions raised by Service Providers concerning this Request for Service Providers may be submitted in writing, via email, using the subject line: **Loan Modification Work-Out Organizations** to the attention of:

Mary Townley
Michigan State Housing Development Authority
735 E. Michigan Avenue
Lansing, MI 48912

Email: TownleyM1@michigan.gov

The Authority will answer by email, appropriate questions (e.g., information either not covered or answered in this Request for Service Providers, interpretation issues, etc.) received on or before July 15, **2014**. To ensure a fair and impartial process, Authority staff will only address written inquiries. **Phone calls will not be accepted.** Service Providers submitting an application packet shall not contact any Board members or Authority staff, except Mary Townley. **ALL COMMUNICATIONS WITH MARY TOWNLEY MUST BE RECEIVED IN WRITING BY 4:00 PM, TUESDAY, JULY 15, 2014.** The Authority will hold no other question sessions. The Authority will answer all questions by July 21, 2014. All questions and answers related to this Request for Service Providers will be supplied by email to Service Providers providing Mary Townley with notification of their intent to submit an application packet.

If, prior to the application deadline, the Authority deems it necessary to provide additional clarifying information, or to revise any part of this Request for Service Providers, supplements or revisions will be provided to all who have indicated they will submit an application. Applications will then be evaluated based on the terms and conditions of this Request for Service Providers, any supplements or revisions thereto, and the answers to any written questions.



MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY REQUEST FOR SERVICE PROVIDERS

EXHIBIT A

SCOPE OF WORK

I. Overview

- A. The Michigan State Housing Development Authority, Homeownership Division (“MSHDA” or “Authority”), is seeking an organization to pilot a Mortgage program of last resort referral program for needy homeowners. Company information will be placed on MSHDA’s web site providing a tool for homeowners ineligible for MSHDA’s Help for Hardest Hit program and are in need of loan work-out guidance, short sale aid and in the worse-case, deed in lieu or cash for keys programs.
- B. Many homeowners struggle through the loan modification process and would greatly benefit from the guidance of a reputable loan work-out expert. **This Request for Service Providers is not to engage in a contract for services with funds available for these services, but it is for placement of company information on our web site for needy homeowners to turn to if the homeowner(s) deem it necessary or beneficial.**
- C. **No funding will be provided by MSHDA for these services and the Service Providers will not charge homeowners any fees associated with these services.**

II. Objectives, Tasks & Activities, and Deadlines

- A. **Objectives.** To be included on the Authority’s list of Service Providers, application packets must include sufficient information to demonstrate that the Service Provider can successfully perform the services described in Section I above. The Service Provider must be able to satisfy the following objectives:
 - 1. Possess a minimum of 5 years’ experience in the field of successful loan modifications for homeowner work-out transactions.
 - 2. Possess demonstrable knowledge of all foreclosure legislation in the State of Michigan.
 - 3. Possess demonstrable knowledge and experience on all secondary market loan workout rules and regulations. (Fannie Mae, Freddie Mac, etc.)
 - 4. Not rely on MSHDA, homeowner or any federally funded program managed by MSHDA for funding of services to these clients.
 - 5. Maintain other funding sources for work-out services.
 - 6. Manage pipeline of clients coming to them from the MSHDA Web site with the following benchmarks:
 - a. Initial contact to homeowners in no more than 72 hours.

- b. Processing of request with final resolution of no more than 60 days.

B. Activities/Responsibilities Necessary to Complete Scope of Work. To achieve the objectives, the Service Provider shall perform the following activities required to achieve the objectives:

1. Work with homeowners to assess their financial situation, directing them to the best possible outcome through a work-out, Short Sale, Deed in Lieu or Cash for Keys program.
2. Directly engage with homeowners' existing mortgage lender during the process.
3. Regular and scheduled contact with homeowners, providing them updates on status of work-out scenario.

C. Products or Milestones to be Met. Products or Milestones include loan modification, loan workout, Deed in Lieu, or Cash for Keys.

D. Deadlines for Completing Objectives.

1. Initial contact to homeowners in no more than 72 hours from inquiry.
2. Processing of request with final resolution of no more than 60 days.



MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY REQUEST FOR SERVICE PROVIDERS

EXHIBIT B

PROPOSAL INSTRUCTIONS AND SELECTION CRITERIA

I. Proposal Delivery/Submission

- A. **Due Date.** Application packets submitted in response to this Request for Service Providers are due August 1, 2014 at 4 p.m.
- B. **Originals and Copies.** Submit one (1) original and three (3) copies of an application packet addressing the services described in the Exhibit A - Scope of Work.
- C. **Delivery of Proposal.** Deliveries may be by hand, commercial overnight service, or U.S. Postal Service. No electronic deliveries will be accepted. Direct all deliveries to:

Mary Townley
Michigan State Housing Development Authority
735 E. Michigan Avenue
Lansing, Michigan 48912

- D. **Selection of Service Provider(s).** The Authority's review may take up to four weeks after the closing date for submitting applications. The Authority anticipates notifying Service Providers on or about August 15, 2014 via e-mail and posting on the Authority's website. Names of the selected Service Providers will also be posted on the Authority's website.
- E. **Applicable Laws.** Service Providers must comply with all Michigan and federal laws.

II. Application Format

- A. **Overview.** Application packets must be submitted in the format described in this Exhibit B as outlined below. There should be no attachments, enclosures or exhibits other than those considered by the Service Provider to be essential to a complete understanding of the services offered. Each section must be clearly identified with appropriate headings.

The application packet should be clear, accurate, and complete, with sufficient detail to enable the Authority to evaluate the services and methods proposed. Brevity is appreciated.

B. **Format of Proposal.**

- 1. **Business Organization.** Include the following information and supporting documentation as outlined below:

- a. The full name and address of the Service Provider.
- b. The branch office or name and address of registered agent, if applicable.
- c. The type of entity (e.g., Michigan corporation, Michigan nonprofit corporation, Michigan limited liability company):
 - i. A foreign (non-Michigan) or domestic corporation or limited liability company must be licensed to do business in Michigan. The firm must submit with the proposal a *Certificate of Good Standing* issued by the Department of Licensing and Regulatory Affairs that is dated no earlier than 30 days prior to the submittal date of the proposal. Provide address of registered agent or office.
 - ii. A foreign (non-Michigan) or domestic limited partnership must be licensed to do business in Michigan. The firm must submit with the proposal a *Certificate of Fact – Not Cancelled*, issued by the Department of Licensing and Regulatory Affairs that is dated no earlier than 30 days prior to the submittal date of the proposal. Provide address of registered agent or office.
- d. Submit a *Certifications Regarding Debarment, Suspension and Other Responsibility Matters* form. The form is found in Exhibit C attached and incorporated into this Request for Service Providers.

2. Experience.

- a. **Prior Experience of Service Provider.** Indicate prior experience of your organization that you consider relevant to the successful provision of services to needy homeowners. Include sufficient detail to demonstrate the relevance of such experience. Include descriptions of qualifying experience, including project descriptions, costs, and starting and ending dates of projects successfully completed. Also include the name, address, and telephone number of the responsible official of the client organization who may be contacted.
- b. **Experience of Proposed Personnel Assigned to Provide Services.** The proposal should describe the education and experience of the personnel who will be assigned to provide the proposed services, including managers who may oversee work of personnel.
- c. **Additional Information and Comments.** Include any other information that is believed to be pertinent but not specifically asked for elsewhere.

3. Proposed Services.

- a. **How Services will be Rendered.** Address and describe the process used to render the services and how the services will be rendered. This should be an overview of the methodology to be used, based on staff and time frames, to

meet the project scope of work and complete the required services within the time frame of the project.

b. Standards. Describe or address the following:

- i. The standards that the services will satisfy. (If standards of a professional association will be followed, identify the standards and the association.)
- ii. How quality of service will be monitored and ensured.
- iii. Whether "best practices" will be followed. (If applicable, identify the organization and/or document establishing such standards.)

c. Copyrighted Materials. You acknowledge that submitted documents will not contain in part or whole copyrighted materials.

4. Disclosure of Participation and Interests in Authority Programs.

a. Disclosure of Interests in Authority Programs. Authority programs include, but are not limited to, the Housing Voucher Program, any loans where the Authority is the lender, and any grants made by or administered by the Authority. Submit a list of all interests that the Service Provider, its officers, board members, and employees respectively have in Authority programs. If the Service Provider intends to use independent contractors or subcontractors to render services, include the interests that independent contractors or subcontractors and their officers, board members, and employees respectively have in Authority programs.

b. Potential Conflicts of Interests. Indicate in the application packet whether the Service Provider, its officers, employees, members, board members, independent contractors or subcontractors is currently under contract or is receiving a grant from the Authority.

c. Family Members Who Work for Authority. Please list the names of the Service Provider's officers, board members, and employees who have family members who work for the Authority and the names of the family members who work for the Authority.

5. Signature Clause to be Signed by Service Provider's Authorized Signatory. Insert into the proposal and have the authorized signatory sign the following signature clause at the end of the proposal (see Section II of this Request for Service Providers):

I confirm that I have submitted this application packet on behalf of (INSERT YOUR COMPANY/ENTITY ORGANIZATION NAME HERE) in response to the Michigan State Housing Development Authority's Request for Service Providers.

In addition, I acknowledge and attest to my complete understanding that this application packet is submitted for the express intent to be included on the Michigan State Housing Development Authority's service provider list and that the Michigan State Housing Development Authority will not be providing funding or reimbursement for services to Service Providers assisting needy homeowners.

By: _____

Its: _____

Date: _____

III. Selection of Applications

To be selected for inclusion on the Authority's Service Provider List, applications must meet the criteria specified in Exhibits A and B of this Request for Service Providers. The selection of Service Providers shall be subject to a review by the Authority's Legal Affairs Division concerning conflicts of interest and/or participation in Authority programs by the Service Provider, its officers, employees, subcontractors or independent contractors.

- A. Expected Deadline for Selecting Proposal.** The Authority anticipates notifying Service Providers on **August 15, 2014** via e-mail.

- B. Cancellation of Service Provider List.** The Authority reserves the right to cancel this Service Provider List at any time for any reason.



**MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
REQUEST FOR PROPOSAL**

EXHIBIT C

CERTIFICATE REGARDING DEBARMENTS

**See appended document titled
CERTIFICATE REGARDING DEBARMENT, SUSPENSION AND OTHER
RESPONSIBILITY MATTERS FORM**

Certifications and Representations

The Service Provider must complete this section and submit with their application. Failure or refusal to submit any of the information requested in this section may result in the Service Provider being considered non-responsive and therefore ineligible for listing.

() Enclosed are annual certifications and representations

Introduction

Service Provider Identification

Service Provider Name: _____

() Federal ID Number: _____ (TIN or social security number)

() DUNS Number: _____

Service Provider is not required to have a DUNS number, but if Service Provider does have one it must be listed.

Changes to Information

If any of the certifications, representations, or disclosures indicated in this document change during consideration of the Service Provider’s responses or after awarding of a contract, the Service Provider is required to report those changes immediately to the Michigan State Housing Development Authority (the “Authority”), **(INSERT CONTACT INFORMATION)**

_____ (Initial)

False Information

If it is determined that a Service Provider purposely or willfully submitted false information, the Service Provider will not be considered for award, the Authority may pursue debarment of the Service Provider, and any resulting Contract that may have been established will be terminated. If the Authority believes that grounds to debar exist, it shall, pursuant to the Michigan Administrative Code Rules 125.211-125.216, send notice to the Service Provider of proposed debarment indicating the grounds for proposed debarment and the procedures for requesting a hearing.

_____ (Initial)

Representations

A. Subcontractors

1. The Service Provider shall require each Subcontractor whose subcontract will exceed \$25,000 to disclose to the Service Provider , in writing, whether, as of the time of the submission of Service Provider’s response to this Request for Service Providers, the Subcontractor or its principals is debarred, suspended, or

proposed for debarment by the State. The Service Provider shall then inform the Authority of the Subcontractor's status in its response and provide reasons for the Service Provider's decision to use Subcontractor, if the Service Provider so decides.

2. Indicate below **ALL** work to be subcontracted (use additional attachment if necessary; estimates are acceptable):

Description of Work to be sub-contracted	Percent (%) of total contract value to be sub-contracted	Sub-contractor's name and principal place of business (City and State)

Disclosures

Service Provider Compliance with State and Federal Law and Debarment

1. The Service Provider certifies, to the best of its knowledge that within the past (3) years, the Service Provider, an officer of the Service Provider, or an owner of a 25% or greater interest in the Service Provider:

Has _____ Has Not _____ been convicted of a criminal offense incident to the application for or performance of an Authority or State contract or subcontract;

Has _____ Has Not _____ been convicted of any offense which negatively reflects on the Service Provider's business integrity, including but not limited to embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, state or federal antitrust statutes;

Has _____ Has Not _____ been convicted of any other offense, violated any other state or federal law, as determined by a court of competent jurisdiction or an administrative proceeding, which, in the opinion of the Authority, indicates that the Service Provider is unable to perform responsibly or which reflects a lack of integrity that could negatively impact or reflect upon the Authority or State.

- a. An offense or violation under this paragraph may include, but is not limited to, an offense under or violation of:

Has _____ Has Not _____ failed to substantially perform an Authority or State contract or subcontract according to its terms, conditions, and specifications within specified time limits;

Has _____ Has Not _____ violated Authority or State bid solicitation procedures or violated the terms of a solicitation after bid submission;

Has _____ Has Not _____ refused to provide information or documents required by a contract including, but not limited to information or document necessary for monitoring contract performance;

Has _____ Has Not _____ failed to respond to requests for information regarding Service Provider 's performance, or accumulated repeated substantiated complaints regarding performance of a contract/purchase order; and

Has _____ Has Not _____ failed to perform an Authority or State contract or subcontract in a manner consistent with any applicable state or federal law, rule, regulation, order, or decree.

- 2.** For purposes of this Section, "Principals" means officers, directors, owners, partners, and any other persons having primary management or supervisory responsibilities within a business entity. The Service Provider certifies and represents, to the best of his knowledge that the supplier and/or any of its Principals:

Are _____ Are Not _____ presently debarred, suspended, proposed for debarment, or declared ineligible for the award of a purchase by any state or federal agency;

Has _____ Has Not _____ not with in a 3-year period preceding this Request for Service Providers , been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) purchase.

Has _____ Has Not _____ within a 3-year period preceding this solicitation had one or more purchases terminated for default by any state or federal agency.

- 3.** The Service Provider shall provide immediate written notice to the Authority if, at any time before listing on the Authority's web site, the Service Provider learns that its certification was erroneous when submitted or has since become erroneous because of changed circumstances.
- 4.** A certification that the Service Provider or its Subcontractors is presently debarred, suspended, proposed for debarment or declared ineligible for award of

a purchase by any state or federal agency will not necessarily result in withholding an award under this solicitation. However, the certification will be considered in connection with a determination of the Service Provider's responsibility. Failure to furnish the certification or provide such information as requested by the Authority may render the Service Provider response non-responsive.

5. Nothing contained in this Section shall be construed to require establishment of a system of records in order to render, in good faith, the certification required this Section. The knowledge and information of a Service Provider is not required to exceed that which is normally possessed by a prudent person in the ordinary course of commercially reasonable dealings.
6. If it is later determined that the Service Provider knowingly rendered an erroneous certification under this Section, in addition to the other remedies available to the Authority, the Authority may terminate any resulting contract for default.

_____ (Initial)

Employee and Subcontractor Citizenship

The Service Provider certifies that all employees, contractors, Subcontractors, and any other individual involved in the performance of the requested services, **except those listed below**, are citizens of the United States, legal resident aliens, or individuals with valid visa (use additional attachment if necessary; estimates are acceptable):

Employee Name	Title

_____ (Initial)

Application Preparation

The Service Provider shall notify the Authority in its application packet, if it or any of its Subcontractors, or their officers, directors, or key personnel has assisted with the drafting of the application, either in whole or in part. This includes the conducting or drafting of surveys designed to establish a system inventory, and/or arrive at an estimate for the value of the solicitation.

The Service Provider hereby certifies that it HAS _____, HAS NOT _____ assisted in the development of this application packet.

Except for materials provided to all Service Provider's as part of this Request for Service Providers, the Service Provider shall provide a listing of all materials provided by the Authority to the Service Provider containing information relevant to this Request for Service Providers,

including, but not limited to: questionnaires, requirements lists, budgetary figures, assessments, white papers, presentations, application draft documents.

AS THE AUTHORIZED CERTIFYING OFFICIAL, I HEREBY CERTIFY THAT THE ABOVE SPECIFIED CERTIFICATIONS ARE TRUE.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TYPED NAME AND TITLE

DATE