

RESOLUTION NO. _____

AUTHORIZATION TO ENTER INTO CONTRACT WITH NAN MCKAY AND ASSOCIATES, INC TO PROVIDE LIHTC COMPLIANCE CONSULTING SERVICES

Item No. 5A

WHEREAS, Louisville Metro Housing Authority (LMHA) staff issued a Request for Proposals (RFP) to acquire needed Low-Income Housing Tax Credit (LIHTC) Program compliance consulting services on June 20, 2023, and advertised in the Courier Journal, the Louisville Defender, the Housing Authority Marketplace, and on LMHA's website; and

WHEREAS, LMHA received one proposal from Nan McKay and Associates, Inc. on July 11, 2023; and

WHEREAS, staff reviewed and evaluated the proposal based upon the evaluation criteria outlined in the RFP and determined that it met the requirements established by LMHA and that the proposal is acceptable for the work to be performed; and

WHEREAS, as required when only one proposal is received in response to an RFP, staff has determined that procurement via noncompetitive proposals is justified; and

WHEREAS, staff recommends Nan McKay and Associates, Inc. to provide LIHTC Program compliance consulting services for a "not to exceed" amount of \$75,000; and

WHEREAS, the term of the contract will be for a one-year period with annual renewal options for up to an additional four years; and

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WHEREAS, funding for this contract will be provided through the FY 2024 and FY 2025 operating budgets.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to execute documents necessary to utilize the services of Nan McKay and Associates, Inc. for a one-year period with a not-to-exceed amount of \$75,000.

RESOLUTION BACKGROUND STATEMENT

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I. STATEMENT OF FACTS:

As of June 30, 2022, all LMHA tax credit units were managed by third-party entities with specific knowledge of Low-Income Housing Tax Credit (LIHTC) Program rules and regulations. On July 1, 2022, LMHA brought the management of 176 LIHTC units in-house and brought the management of another 209 LIHTC units in-house on January 1, 2023. Although a limited number of staff had prior LIHTC experience, that experience was dated, and some staff had no LIHTC experience at all. In order to remain compliant with the myriad of rules and regulations specific to the LIHTC Program, LMHA requires specific Program expertise that cannot currently be provided by LMHA's in-house compliance team.

LMHA staff issued a Request for Proposals (RFP) to acquire LIHTC Program compliance consulting services on June 20, 2023, and advertised in the Courier Journal, the Louisville Defender, the Housing Authority Marketplace, and on LMHA's website. 537 potential vendors were notified of the RFP via the Marketplace, while 20 potential vendors viewed and downloaded the RFP. Of the 20 who viewed/downloaded the RFP, 25% were African-American-Owned Businesses and 35% were Women Business Enterprises (WBE).

LMHA staff also conducted an internet search to try to identify consultants with the requisite knowledge and notified six potential vendors of the RFP's publication via email.

Proposals were opened on July 11, 2023. LMHA received one response from Nan McKay and Associates, Inc. LMHA staff reviewed and evaluated the proposal based upon the evaluation criteria outlined in the RFP and determined that it met the requirements established by LMHA and that the proposal is acceptable for the work to be performed.

Staff compared Nan McKay's proposed fees to those charged by LMHA's previous Moving to Work (MTW) Consultant, Edgemere Consulting Corporation, as of the date of Edgemere's contract expiration in January 2023, and found them to be reasonable.

The hourly fees proposed by Nan McKay are as follows:

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Resource	Hourly Rate
Executive Consultant	\$250.00
Supervising Consultant	\$195.00
Technical Advisor	\$165.00
Sr. Consultant/Sr. Financial Consultant	\$150.00
Consultant II/Financial Consultant II	\$140.00
Consultant I/Financial Consultant I	\$130.00
IT Senior Consultant	\$175.00
IT Consultant	\$150.00
Sr. Project Manager	\$150.00
Project Manager	\$130.00
Project Coordinator	\$96.00
Training Consultant	\$115.00
Housing Analyst II	\$110.00
Housing Analyst I	\$105.00
Program Analyst	\$90.00
Program Assistant	\$80.00
Research Assistant	\$75.00
Desktop Publishing	\$58.00
Housing Specialist II	\$55.00
Housing Specialist I	\$45.00
Administrative Assistant	\$28.00

As only one proposal was received, staff were required to determine whether procurement via noncompetitive proposals was justified. Staff determined that such procurement is justified in this case, and a written justification will be maintained in the procurement file.

Nan McKay is a WBE.

As Nan McKay will not use subcontractors, MBE/WBE/DBE goals are not applicable.

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II. ALTERNATIVES:

- A. Approve entering into a contract with Nan McKay and Associates, Inc. to provide LIHTC Program Compliance consulting services, with an annual cost not to exceed \$75,000.
- B. Do not approve entering into a contract with Nan McKay and Associates, Inc. to provide LIHTC Program Compliance consulting services, with an annual cost not to exceed \$75,000.

III. RECOMMENDATION:

Staff recommends Alternative "A."

IV. JUSTIFICATION:

Entering into a contract will provide specific LIHTC Program expertise that cannot currently be provided by LMHA's in-house compliance team. The proposal submitted by Nan McKay and Associates, Inc. was reviewed by staff based upon the evaluation criteria outlined in the RFP. Staff determined that the proposal meets the requirements established by LMHA; that the proposal is acceptable for the work to be performed; and that the fees proposed are reasonable.

V. BUDGET APPROVAL:

Funding for this contract is provided from the FY 2024 and FY 2025 Operating Budgets.

Jeffrey Ralph, Director of Finance

Date

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VI. PROCUREMENT CERTIFICATION:

The procurement of this contract is in compliance with the Louisville Metro Housing Authority's procurement policies and procedures.

Steve Webb, Purchasing Agent

Date

Submitted by: Sarah Galloway
Special Assistant to the Executive Director
August 15, 2023