

REQUEST FOR PROPOSALS

Legal Service Provider to Land Access & Opportunity Board
September 16, 2022

Purpose

The Vermont Land Access and Opportunity Board (LAOB) was created by the Vermont General Assembly in [Act 182 of 2022](#), in order to promote improvements in access to woodlands, farmland, and land and home ownership for Vermonters from historically marginalized or disadvantaged communities who continue to face barriers to land and home ownership.

Pursuant to Act 182, the LAOB and the Vermont Housing and Conservation Board (VHCB) are seeking a qualified legal service provider to provide legal research, analysis and recommendations to the LAOB, with special focus on supporting the initial report mandate in Section 22c of Act 182.

The consultant will work closely with LAOB members and VHCB staff, including attending LAOB meetings, working outside meetings with LAOB members and committees, and consulting with VHCB staff—to ensure that the Section 22c report: (1) answers the legal and constitutional questions identified by the General Assembly in Act 182 and (2) provides workable recommendations to achieve the State’s goals and intent in the legislation.

The consultant’s work will be directed and controlled by the LAOB, but consultant will contract directly with VHCB under the administrative role assigned to VHCB in Act 182.

Nature of Services Required

The consultant(s) retained under this Request shall:

1. Review the legislative history leading to creation of the LAOB under Act 182, including the legislative history of H.273, and meet with advocates, legislators and legislative counsel, in order to develop a deep understanding of the history and purpose of the LAOB.
2. Review parallel efforts in Vermont to promote equity, diversity, inclusion and justice, address structural racism, and improve outcomes for Vermonters from historically marginalized or disadvantaged communities. This can include the work of the Office of Racial Equity, the Truth and Reconciliation Commission, the Health Equity Council, and the Environmental Justice Advisory Council, among others.
3. Research efforts in other jurisdictions across the United States to provide equitable access to housing and home ownership, woodlands and farmlands, in order to identify proven and secure legal and funding models for the work of the LAOB.
4. As needed, attend LAOB meetings, LAOB committee meetings, and work with designees of the LAOB and VHCB to refine and focus the scope of legal analysis required under Act 182.
5. Provide legal analysis and recommendations to the LAOB regarding how best to structure the programs and work of the LAOB to achieve the goals of Act 182 while minimizing or mitigating any identified legal or constitutional risk.

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6. Support the LAOB, VHCB and any other consultants hired to produce the Section 22c report, including by drafting sections of the report relevant to the work of consultant.
7. Support the LAOB and VHCB as needed during the 2023 legislative session to present the Section 22c report to the General Assembly and its committees.

Hours and Program Activity

The LAOB and VHCB are looking for a consultant to begin work in October and continue through the remainder of 2022, with the bulk of the work to conclude by January 15, 2023. As noted above, consultant may be asked to support presentations to General Assembly committees throughout the winter and spring of 2023. We estimate that this could require 100 to 150 hours of work altogether.

Vermont License / Travel Eligible for Reimbursement

It is not a requirement that the selected consultant(s) be based in Vermont, however consultant must be licensed to practice law in Vermont or work directly with local counsel to ensure advice to the LAOB is applicable under Vermont law.

It is not expected that travel will be required to perform this contract, with the possible exception of meetings in the Vermont Statehouse in the winter and spring of 2023. Reimbursement for travel time and mileage (at the prevailing federal rate) will be provided only for travel pre-approved by the LAOB and VHCB.

Period of Contract

The contract period will begin on or after October 10, 2022 and end no later than May 31, 2023. Consultant must be available on a schedule that allows for effective and timely interaction with the LAOB and VHCB.

Payment

Consultant will submit invoices and be paid on a monthly basis for actual hours worked, including research, meetings, project communication, preparation of written work product, and pre-approved travel. Consultant will not be an employee of the LAOB or VHCB, and no benefits are provided.

Qualifications

VHCB is seeking a consultant with the following qualifications:

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1. A license to practice law in the State of Vermont or relationship with local counsel.
2. Significant prior experience(s) representing clients under Vermont and Federal law on matters related to housing equity, land access, equal protection, restorative justice, and housing and community development.
3. Excellent interpersonal, writing and organizational skills.
4. Ability to work well independently.
5. Availability throughout the entire contract period.

Proposal Content

Proposals should be in letter form and should include the following:

1. Experience and qualifications of proposer / attach resume.
2. Availability of proposer during the period of the contract.
3. Hourly rate.

Evaluation Criteria

All proposals submitted will be evaluated according to the following criteria:

1. Qualifications of consultant (see Qualifications section above).
2. Hourly rate proposed for tasks under contract.
3. Ability to complete scope of work within required timeframe.
4. Availability throughout entire contract period.

Submission

Proposals may be submitted by regular mail to the address below, or by email to t.martin@vhcb.org.

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Proposals must be received by 5:00 PM on Friday, October 7, 2022.

Mail To: Trey Martin
 Vermont Housing & Conservation Board
 58 East State Street
 Montpelier, VT 05602

Questions may be directed to Mr. Martin at (802) 505-0986 or t.martin@vhcb.org.