

DECATUR HOUSING AUTHORITY
REQUEST FOR PROPOSALS
FOR LEGAL SERVICES
May 15, 2014

The Decatur Housing Authority (DHA) seeks proposals from qualified attorneys for legal services required by the DHA from July 14, 2014 to July 14, 2016 with an option to extend terms up to July 14, 2019.

A. Scope of Services

The legal services required are essential for day-to-day operations of the Decatur Housing Authority's Public Housing, Housing Choice Voucher, and various federal grant programs.

The legal services include, but are not limited to, providing general counsel to the DHA Board of Commissioners, and staff on matters related to: 1) Federal housing program management and policy matters; 2) Illinois general statutes, federal laws and regulations, and local ordinances related to landlord/tenant matters; 3) Development of mixed-income housing; 4) employment and personnel matters; 5) collective bargaining negotiations; 6) real estate transactions; 7) the operation of affiliated not-for-profit entities, and such other additional work assigned by the Decatur Housing Authority; 8) Enforcement of lease provisions, and evictions.

B. Instruction and Notices to Proposers

The instructions below provide guidance for preparation and submission of proposals. Their purpose is to establish the requirements, format, and content of proposals so that proposals submitted are complete, contain all essential information, and can be evaluated fairly.

1. Submission and Content of Proposals

Please demonstrate your related experience and qualifications for each of the evaluation factors for award detailed in Part C of this request. Please provide at least three professional references and include name, address, phone and fax numbers. Proposals must include all items listed in Part D of this request.

- a. Inquiries concerning the request for proposals (RFP) should be directed to Jim Alpi, Executive Director via email at jalpi@decaturhousing.com or by telephone at 217-423-7745 Ext. 3041.

2. Submission Instructions

An original and two (2) copies of the proposal shall be submitted in a sealed envelope and marked "Proposal for Professional Legal Services" to Decatur Housing Authority, 1808 East Locust Street, Decatur, Illinois 62521 **and must be received not later than 4:30 p.m. on June 12, 2014.** Faxed or emailed proposals will not be accepted. All proposals shall be valid for 90 days.

3. Acknowledgement of Amendments

Proposers shall acknowledge in their proposals, receipt of amendments(s) to this RFP by signing the documents on the acknowledgement line of the amendment. Failure to acknowledge an amendment may result in rejection of the proposal.

4. Restriction on Disclosure and Use of Data

If a proposal contains proprietary or confidential information, a proposer shall identify same and state in his/her proposal that he/she does not want this information discussed in public or used for any purpose other than proposal evaluation.

5. Corrections and Modifications

A proposer's failure to provide accurate information in response to this RFP may disqualify the proposer from consideration. A proposal may be corrected, modified or withdrawn by written submission received by DHA prior to the submission deadline detailed in Item 2 above. After that date and time, the proposer may not change any provision of the proposal in a manner prejudicial to the interest of DHA and/or fair competition.

6. Retention

All proposals submitted become the property of the DHA and will not be returned. Proposals will be retained in accordance with requirements of the Illinois Records Retention Act and federal statute.

7. Cancellation/Waiver

The DHA reserves the right to cancel this RFP or to reject, in whole, or in part, any and all proposals received in response to this RFP, upon determination that such action is in the best interests of DHA. The decision as to who shall receive a contract award, or whether or not an award shall be made as a result of this RFP shall be at the sole discretion of the DHA.

8. Part of Contract

The contents of the proposal submitted by the successful proposer may become part of any contract award at the sole discretion of the DHA.

C. Evaluation Factors for Award

All proposals shall be initially reviewed to determine compliance with the requirements specified in the RFP. Proposals that do not comply with requirements may be rejected without further review. Proposers considered to be in compliance with the RFP requirements will be scored and may be asked to participate in discussions for final selection for a contract award. (The maximum possible score is 205 including bonus points as listed below.)

1. Federal Housing Program Management and Policy (Maximum 55pts)

- a. Legal counsel services and experience in U.S. Department of Housing and Urban Development Programs including but not Limited to:
 - i. Section 8 programs *(max. 10 pts.)*
 - ii. Section 9 programs *(max. 10 pts.)*
 - iii. FSS and Ross programs *(max. 5 pts.)*
 - iv. CFP programs *(max. 5 pts.)*
 - v. Procurement and contract enforcement *(max. 5 pts.)*
 - vi. Construction contract arbitration *(max. 5 pts.)*
 - vii. Construction contract Litigation *(max. 5 pts.)*
 - viii. PHA affiliates *(max. 5 pts.)*
 - ix. PHA instrumentalities *(max. 5 pts.)*

2. Federal , State and Local laws , Regulations Related to Landlord/Tenant Matter (Maximum 15pts)

- a. Legal counsel services and experience providing legal opinions on federal, State and local laws and regulations to Public Housing Authorities. *(max. 10 pts.)*
- b. Legal Counsel Services and experience in landlord/tenant issues in Macon County, Illinois Courts. *(max. 5 pts.)*

3. Development of Mixed Finance Housing (Maximum 20pts)

- a. Experience and legal counsel services related to LIHTC programs and development. *(max. 10 pts.)*
- b. Experience and legal counsel services related to IHDA Trust fund programs and development. *(max. 5 pts.)*

- c. Experience and legal counsel services related to HUD RHF programs and development. *(max. 5 pts.)*

4. Employment and Personnel Matters (Maximum 20pts)

- a. Legal counsel services and experience in personnel hiring actions. *(max. 5 pts.)*
- b. Legal counsel services and experience in personnel termination actions. *(max. 5 pts.)*
- c. Legal counsel services and experience in employment discrimination actions. *(max. 5 pts.)*
- d. Legal counsel services and experience in personnel arbitration hearings. *(max. 5 pts.)*

5. Collective Bargaining Negotiations (Maximum 10pts)

- a. Legal counsel services and experience negotiating collective bargaining agreements. *(max. 10 pts.)s.*

6. Real Estate Transactions (Maximum 10pts)

- a. Legal counsel services and experience assisting and or performing acquisition /disposal of real property for a Public Housing Authority or affiliate. *(max. 5 pts.)*
- b. Legal counsel services and experience obtaining tax-exempt status for properties owned by a Public Housing Authority or affiliate. *(max. 5 pts.)*

7. Operations of Affiliates and/or Instrumentalities of Public Housing Authorities (Maximum 15pts)

- a. Legal counsel services and experience creating not – for- profits affiliates, and or instrumentalities to Public Housing Authorities. *(max. 5 pts.)*
- b. Legal counsel services and experience in the operating requirements of PHA affiliates and instrumentalities. *(max. 5 pts.)*
- c. Legal counsel services and experience related to instrumentalities and affiliates contracting to provide services to public housing authorities. *(max. 5 pts.)*

8. Enforcement of Lease Provisions and Evictions (Maximum 15pts)

- a. Legal counsel services and experience in contract and lease enforcement related to section 8, and section 9 housing programs. *(max. 10 pts.)*
- b. Legal counsel services and experience eviction of tenants participating in section 9 housing programs in Macon County, Illinois. *(max. 5 pts.)*

9. Availability (Maximum 10 pts)

- a. Ability to respond and offer advice, assistance, and counsel during DHA's regular business hours of 8:00 a.m. to 12:30 p.m. and 12:30 p.m. to 4:30 p.m. central time. *(max. 5 pts.)*
- b. Ability to attend DHA's regular monthly meetings on the second Thursday of each month at 3:30, and special meetings as required. *(max. 5 pts.)*

10. Price (Maximum 30 pts)

- a. Identify all key personnel that will provide services, and list hourly prices by individual. *(max. 10 pts.)*
- b. Describe any minimum fees or retainers, the services that will be covered by such fees, and the amount and method of calculating such fees. *(max. 10 pts.)*
- c. Detail any additional cost with rates and or methods of calculation that will be charged by your firm to deliver services to DHA. IE: travel, postage, phone charges, printing, etc. *(max. 10 pts.)*

11. MBE/WBE Status (5 bonus points)

- a. Provide documentation if your firm is a minority owned business enterprise, or a women owned business enterprise. *(5 pts. BONUS)*

Submission deadline is 4:30 p.m. local prevailing time June 12, 2014. Proposals received after the deadline will be rejected. Mail or hand deliver the proposals addressed to:

James E. Alpi, Executive Director
Decatur Housing Authority
1808 East Locust Street
Decatur, IL 62521

Mark the proposal: "Proposal for Professional Legal Services".

The above factors will be utilized to determine the proposal most advantageous to the Decatur Housing Authority.

Any contract resulting from this request for proposals will be an open-ended contract and there is no guarantee that any specified quantities of work will be required. In accepting a contract, the firm or attorney agrees to accept all orders for services placed during its existence. The firm or

attorney will bill the Decatur Housing Authority monthly for all work performed during the preceding month.

Once firms and/or attorneys have been evaluated and ranked, the Decatur Housing Authority will use the contract negotiation process to obtain the most highly qualified firm or attorney at a fair and reasonable price. The Decatur Housing Authority board of commissioners shall approve the proposed contract. It is understood and agreed to by all parties that failure to approve by the board of commissioners shall free the Decatur Housing Authority of any obligation.

The Decatur Housing Authority seeks to contract with certified minority and female owned businesses. The Decatur Housing Authority encourages minority and female owned businesses to submit proposals.

D. The Bidder's Proposal Shall Include the Following:

1. Letter of interest, including references.
2. Responses to the eleven categories of evaluation listed in section C. above including but not limited to the following:
 - a. Outline and description of the specific legal services offered and which specified personnel will handle the proposed services.
 - b. Evidence of the firm's ability to perform the services required by the Decatur Housing Authority.
 - c. Profiles of the firm's attorneys, principals, staff facilities, and specific staff assigned to carry out the proposed legal services.
3. Evidence of certification to practice law in the State of Illinois.
4. Profiles of the firm's or attorney's principals, partners, and clients which may cause a conflict of interest.
5. Certification of Equal Employment Opportunities.
6. Liability Insurance Certificate
7. Completed copy of Non-Collusive Affidavit (attached).

The Decatur Housing Authority is an equal opportunity employer.

FORM OF NON-COLLUSIVE AFFIDAVIT

State of _____) SS
County of _____)

_____, being first duly sworn, upon his oath deposes and says that he is *sole owner, partner, president, Secretary, etc. of _____, the party making the foregoing Bid; that such Bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation; that such Bid is genuine and not collusive or sham; that said Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid and has not directly or indirectly colluded, conspired, connived or agreed with any Bidder, or anyone else, to put in a sham bid, or that anyone shall refrain from bidding; that said Bidder has not, in any manner, directly or indirectly, sought by Agreement, communication or conference, or to fix any overhead, profit or cost element of said Bid price, or that of any other bidder, or to secure any advantage against the Decatur Housing Authority or anyone interested in the proposed contract that all statements contained in such Bid for Legal Services for the Decatur Housing Authority in Decatur, Illinois, are true; and, further, that said Bidder has not, directly or indirectly, submitted his bid price; or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay any fee in connection therewith to any corporation partnership company, association, organization, bid depository, or to any member or agent thereof, or to any other individual, except to such person or persons as have partnership or other financial interest with said Bidder in his general business.

Signature of Bidder: _____

(IF A CORPORATION)

Name of Corporation: _____

By _____
President

ATTEST:

Secretary

(CORPORATE SEAL)