



# **CARIBOU HOUSING AGENCY MAINE**

## **REQUEST FOR PROPOSALS (RFP) No. 2020-01**

### **Legal & Consultant Services**



## 1. PURPOSE

The Caribou Housing Agency (hereinafter called “Housing Agency” or “CHA”) is a public housing Agency with administrative offices located at 25 High Street, Caribou, ME 04736. The CHA provides quality, affordable housing to low-income families its Section 8 Housing Choice Voucher Program.

In accordance with applicable Federal and State of Maine requirements, the Housing Agency is currently accepting proposals for **General Legal and Consultant Services**. It is the Housing Agency’s desire to employ a duly qualified attorney to act as General Counsel in all legal matters which may arise in connection with the business and management of its various housing programs. All legal services must be provided in accordance with the existing rules, orders, directives, and regulations promulgated by the United States Department of Housing and Urban Development (“HUD”), as well as all applicable state and federal laws.

**2. HOUSING AGENCY’S RESERVATION OF RIGHTS:** The Housing Agency reserves the right to:

- A. Right to Reject, Waive or Terminate the RFP.** Reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, if deemed by the Agency to be in its best interests.
- B. Right to Not Award.** Not to award a contract pursuant to this RFP.
- C. Right to Terminate.** Terminate a contract awarded pursuant to this RFP, at any time for its convenience upon 10 days written notice to the successful proposer(s).
- D. Right to Determine Time and Location.** Determine the days, hours and locations that the successful proposer(s) shall provide the services called for in this RFP.
- E. Right to Retain Proposals.** Retain all proposals submitted and not permit withdrawal for a period of 60 days subsequent to the deadline for receiving proposals without the written consent of the Agency Contracting Officer (CO).
- F. Right to Negotiate.** Negotiate the fees proposed by the proposer entity.
- G. Right to Reject Any Proposal.** Reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.
- H. No Obligation to Compensate.** Have no obligation to compensate any proposer for any costs incurred in responding to this RFP.

- I. Right to Prohibit.** At any time during the RFP or contract process to prohibit any further participation by a proposer or reject any proposal submitted that does not conform to any of the requirements detailed herein. By accessing this RFP by email, mail or other source and by downloading this document, each prospective proposer is thereby agreeing to abide by all terms and conditions listed within this document, and further agrees that he/she will inform the CO in writing within 5 days of the discovery of any item listed herein or of any item that is issued thereafter by the HA that he/she feels needs to be addressed. Failure to abide by this time frame shall relieve the HA, but not the prospective proposer, of any responsibility pertaining to such issue.

### **3. CONTRACT PERIOD**

The Housing Agency anticipated that it will initially award a contract for the period of one year with the option, at the Housing Agency's discretion, of four (4) additional one-year periods.

### **4. SCOPE OF LEGAL SERVICES**

The scope of legal services being requested will relate to all of the Housing Agency's programs (including but not limited to Section 8 Housing Choice Voucher, Family Self-Sufficiency, and Housing Choice Voucher Homeownership programs) and shall include, but not be limited to, the following:

- A.** Attend meetings of the Housing Agency, when requested;
- B.** Supervise drafting of all resolutions of the Housing Agency;
- C.** Confer with, and advise the officers and employees on Housing Agency-related legal matters, when required;
- D.** Consult with parties having business with the Housing Agency, when requested;
- E.** Prepare contracts, legal instruments, legal documents, and other legal writings as may be required in the interest of the Housing Agency;
- F.** Review and approve the legality of contracts, legal instruments, legal documents and other written legal materials prepared by others and submitted to the Housing Agency for action;
- G.** Handle in an appropriate manner, all legal questions and matters arising out of or under legal contracts, legal instruments, legal documents, and other legal materials with or concerning the Housing Agency;

- H.** Render legal opinions on all matters submitted by the Housing Agency;
- I.** Perform all required legal work in connection with the financing of the Housing Agency's programs, projects, or activities;
- J.** Provide legal advice, assistance, and counsel in all actions arising at the Housing Agency; including all tenancy matter including denial/termination, post termination Orders to Show Cause and civil recovery litigation;
- K.** Appear for and represent the Housing Agency in all litigation matters;
- L.** Review and advise all Housing Agency policies in accordance with applicable rules, orders, and laws, as well as suggestions of the Housing Agency;
- M.** Advise the Housing Agency on all matters pertaining to the Open Public Meetings Act; Advise the Housing Agency on all matters concerning the Local Public Contracts Law;

## **5. QUALIFICATIONS**

In addition to the ability to perform all of the above, all respondents shall meet the following minimum requirements:

- A.** Must be licensed to practice law in the State of Maine.
- B.** Has broad experience in representing/working with other Public Housing Authorities ("PHAs").
- C.** Has strong analytical, interpretive, and oral/written communication skills.
- D.** Has a thorough understanding of HUD funded programs, Section 8, FSS, and Homeownership and related federal regulations.
- E.** Has a broad and practical knowledge of HUD/PHA Regulations and Maine Landlord/Tenancy Law, including: PHA tenant due process requirements, including all federal notice requirements for each cause of action; and Informal Review/Hearings.
- F.** Has broad experience and a proven track record of success in representing Maine PHAs in applicant/participant Informal Review/Hearings
- G.** Has never, at any time, been suspended, debarred, declared ineligible, or voluntarily excluded by the Department of Housing and Urban Development, the Department of Justice, the General Services Administration, the Internal Revenue Service, or any other

federal agency or the Federal Government, and/or the Maine Department of Labor or any other state agency or the State of Maine.

## **6. SUBMISSION OF PROPOSALS**

All Proposals must be sealed and received by the CHA no later than 4:30 PM on Friday, October 16, 2020 at the following address:

CARIBOU HOUSING AGENCY  
LISA PLOURDE  
25 HIGH STREET  
CARIBOU ME 04736

The sealed envelope must be marked “Proposals for General Legal Services”.

## **7. PROPOSAL REQUIREMENTS**

Proposals shall be submitted on the company letterhead and signed by the owner or an executive officer of the firm. Interested firms should have at least five (5) years’ experience, or equivalence.

- A. Executive Summary-** Provide a brief non-technical overview of the Respondent’s business including the range of services offered. Respondents should demonstrate how and why their services meet CHA’s needs and qualification requirements.
- B. Company Profile-** Provide a history of the business and a biography of all key attorneys who would be handling CHA matters. This should include a narrative identifying any public housing authorities that the Attorney/firm has represented over the past five (5) years to which the Attorney/firm has provided similar services, or equivalence.
- C. General Legal Services-** Describe in detail each aspect of the general legal services proposed and the firm’s specialized knowledge and experience with each such service.
- D. References-** Respondents are asked to submit a minimum of three (3) housing Agency references, or equivalence.
- E. Proposed Costs-** A schedule of hourly rates must be provided for all categories of staff (attorneys, paralegals, etc.) who will be assigned to perform the above services if a contract is awarded; and other charges, if any, must be specified.

**F. Required Documentation-** Each respondent shall execute and submit the following documents as part of their formal proposal:

- a) One (1) Original and two (2) copies of Proposal
- b) HUD-5369C – *Certification and Representations of Offerors, Non-Construction Contract*
- c) Profile of Firm
- d) Section 3 Business Preference
- e) Documentation of License(s) and Insurance(s)
- f) Completed Proposal Document Checklist

## 8. PROPOSAL REVIEW

- A. All proposals will be reviewed in accordance with the Housing Agency's evaluation criteria, which are as follows:

<b>Evaluation Criteria</b>	<b>Weighting (Maximum Points)</b>
<b>Summary:</b> Demonstrated understanding of the requirements, experience working with and/or with PHA's.	25
<b>Profile:</b> Demonstrated experience in performing similar work and successful past performance representing PHA's, or similar work.	25
<b>Legal Services:</b> Described detail of specialized knowledge and experience of services to be provided and cost for each service.	25
<b>References</b>	15
<b>Reasonableness of proposed fee(s)</b>	10
<b>TOTAL</b>	<b>100</b>

- B. The Housing Agency reserves the right to waive any informality and to reject any and all proposals. No Proposal may be withdrawn for sixty (60) days after the due date. Proposals may be withdrawn prior to the due date either in person or by mail.



## PROFILE OF FIRM FORM

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1. Name of Firm: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Street Address, City, State, Zip: \_\_\_\_\_

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2. Identify Principals/Partners in Firm:

NAME	TITLE	% OF OWNERSHIP

3. Please indicate the operating structure of your company:

\_\_\_\_\_ Publicly Held Corporation

\_\_\_\_\_ Privately Held Corporation

\_\_\_\_\_ Government Agency

\_\_\_\_\_ Non-Profit Organization

\_\_\_\_\_ Partnership

\_\_\_\_\_ Sole Proprietorship

4. **Proposer's Diversity Statement:** You must check all of the following that apply to the ownership of this firm and enter where provided the correct percentage (%) of ownership of each:

Resident - (RBE), Minority- (MBE), or Woman-Owned (WBE) Business Enterprise  
(Qualifies by virtue of 51% or more ownership and active management by one or more of the following:

\_\_\_\_\_ % African American

\_\_\_\_\_ % Native American

\_\_\_\_\_ % Hispanic American

\_\_\_\_\_ % Asian/Pacific American

\_\_\_\_\_ % Hasidic Jew

\_\_\_\_\_ % Asian/Indian American

\_\_\_\_\_ % Women Owned (MBE)      \_\_\_\_\_ % Women Owned (Caucasian)  
\_\_\_\_\_ % Disabled Veteran      \_\_\_\_\_ % Caucasian American (Male)  
\_\_\_\_\_ % Other (Specify) \_\_\_\_\_

**5.** Is the business 51% or more owned by a public housing resident?

\_\_\_\_\_ No

\_\_\_\_\_ Yes, If yes, provide the name and address of the Public Housing Authority:

**6.** Federal Tax ID Number: \_\_\_\_\_

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**Verification Statement:** The undersigned bidder hereby states that by completing and submitting this form he/she is verifying that all information provided herein is, to the best of his/her knowledge, true and accurate.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Firm Name

I, \_\_\_\_\_ certify that  
\_\_\_\_\_ is a Section 3 Business Concern as  
defined by (check one):

- Proprietorship
- 
- [ ☐ ] Sole  
[ ☐ ] Partnership  
[ ☐ ] Corporation

Evidence in support of our claim as a Section 3 Business concern is attached. ☐ Yes  
☐ No

Date \_\_\_\_\_

Firm Name



## **PROPOSAL DOCUMENT CHECKLIST**

(Submission Requirement, Initial)

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An Original and Two Copies of Entire Proposal	
Support for Qualifications	
Support for Evaluation Factors	
Form HUD-5369-C	
Profile of Firm	
License and Insurance Certificate	
Proposal Document Checklist	