



Montgomery Housing Authority

**525 South Lawrence Street
Montgomery, Alabama 36104**

REQUEST FOR PROPOSAL (RFP) 2018-02 LEGAL REPRESENTATION IN ACTIONS FOR UNLAWFUL DETAINER

DATE ISSUED: Thursday, January 11, 2018

TYPE OF PROJECT: The Montgomery Housing Authority (MHA) is seeking proposals from qualified firm(s)/individual(s) to assist MHA in Legal Representation in Actions for Unlawful Detainer

CONTACT PERSON: Martha Groomster, Procurement/Contract Administrator
mgroomster@mhatoday.org

SUBMISSION DEADLINE: Tuesday, February 6, 2018 @ 3:00 p.m. (CST)

SUBMISSION ADDRESS: Procurement/Contract Office
Montgomery Housing Authority
525 South Lawrence Street
Montgomery, Alabama 36104

Separate sealed proposals will be accepted at the MHA's, Procurement/Contract Office, 525 South Lawrence Street, Montgomery, Alabama 36104, until the date and time noted above. Proposals will be held in confidence and not released in any manner until after contract award.

The responsibility for submitting a response to this RFP at the MHA on or before the stated time and date will be solely and strictly the responsibility of the respondent. The offeror shall wholly absorb all costs incurred in the preparation and presentation of the proposal.

TABLE OF CONTENTS

PART I – GENERAL INFORMATION

- 1.1 Introduction
- 1.2 Method of Solicitation
- 1.3 Obtain Copies of this Solicitation

PART II – SUPPLEMENTAL INSTRUCTIONS TO RESPONDENTS

- 2.1 Submission of Proposals
- 2.2 Interpretation/Questions
- 2.3 Addendum and Update Procedures for the RFP
- 2.4 Proposal Format
- 2.5 Submittal Forms
- 2.6 Acceptance of Proposals
- 2.7 Time for Reviewing Proposals
- 2.8 Withdrawal of Proposals
- 2.9 Award of Contract
- 2.10 HUD Debarment and Suspension List
- 2.11 Certification of Legal Entity
- 2.12 Cost Borne by Respondent
- 2.13 Best Available Data
- 2.14 Contact with MHA, Staff, Board Members and Residents
- 2.15 Licenses and Insurance
- 2.16 Respondent Responsibilities
- 2.17 No Claim Against MHA

PART III – SUBMISSION REQUIREMENTS

- 3.1 Staffing and Qualifications
- 3.2 Relevant Experience and Past Performance
- 3.3 References
- 3.4 Respondent's Approach and Response to Scope of Service
- 3.5 Proposal Cost
- 3.6 Required Certifications/Forms

PART IV – SCOPE OF SERVICES

PART V – PROCUREMENT PROCESS

- 5.1 Proposal Evaluation/Contract Award
- 5.2 Evaluation Criteria
- 5.3 Summary of Evaluation Criteria

PART I – GENERAL INFORMATION

1.1 Introduction

MHA will receive sealed proposals from qualified firm(s)/individual(s) to provide Project Legal Representation in Actions for Unlawful Detainer. MHA anticipates that it will initially award a contract for a period of two (2) years with the option, at the MHA’s discretion, to renew for one (1) additional year.

1.2 Method of Solicitation

MHA is soliciting competitive proposals from qualified firms with a documented record of accomplishments of providing the required services, preferably for public housing authorities or other agencies through a formal RFP process.

1.3 Obtain Copies of this Solicitation

Single copies of the RFP package may be obtained, at no cost by:

1. Visiting the MHA’s website at: www.mhatoday.org
2. Requesting via email to mgroomster@mhatoday.org
3. Copies may also be picked up in person at:

Montgomery Housing Authority
Procurement/Contract Office
525 South Lawrence Street
Montgomery, Alabama 36104

Persons wishing to be emailed or faxed copies of the RFQ may submit their request via email to: mgroomster@mhatoday.org

PART II – INSTRUCTIONS FOR SUBMITTING PROPOSALS

2.1 Submission of Proposals

Respondents should submit **one (1) original and three (3) copies** of their proposal, dated and signed by an authorized official of the company. Proposals must be submitted in a ***sealed envelope*** that shows the firm’s name and address, and **clearly** written on the outside of the sealed envelope must be the words **“Legal Representation In Actions for Unlawful Detainer (RFP 2018-02) – DEADLINE Tuesday, February 6, 2018 @ 3:00 p.m. (CST)”**.

Proposals received after the deadline date and time may be determined unacceptable. Refer to form **HUD 5369-B, Section 6**, regarding late submissions and withdrawals.

Proposals are not publicly opened.

All proposals must be submitted in accordance with the conditions and instructions provided herein and must remain open for acceptance for one hundred and eighty (180) days from the due date. Proposals should demonstrate detailed plans on how the Respondent intends to provide the required services in a manner that will result in the successful and timely completion of the service(s). In addition, the proposal should demonstrate the Respondent’s capacity and readiness to perform the Scope of Services immediately upon execution of a contract with MHA. Finally, the proposal should

include evidence of the Respondent's previous experience and qualifications, relative to the provision of such services.

2.2 Interpretation/Questions

During the period between issuance of this RFP and the proposal due date, no oral interpretation of the RFP's requirements will be given to any prospective respondent. Requests for interpretation must be made, in writing, at least ten (10) days before the submission due date and time to: Email: mgroomster@mhatoday.org.

2.3 Addendum and Update Procedures for the RFP

During the period of advertisement for this RFP, MHA may wish to amend, add to, or delete from, the contents of this RFP. In such situations, MHA will issue an addendum to the RFP setting forth the nature of the modification(s). MHA will email (or send via regular postal mail or fax upon written request) any addenda to Respondents of this RFP solicitation. Interested parties may also view addenda on MHA's website www.mhatoday.org. It shall be the responsibility of each Respondent to ensure they have any/all additional addenda relative to this RFP.

2.4 Proposal Format

All proposals shall be submitted in 8 ½ x 11 inch format, preferably in three (3) ring binders. Larger size pages or inserts may be used, provided they fold into 8 ½ x 11 inches. All copies of the submittal must be identical in content and organization. The format of the respondent's proposal should be structured the same as the format of the RFP. Proposals should be organized into sections and tabbed for ease of review. Respondents must provide a comprehensive Table of Contents at the front of the proposal. The proposal also must be organized in response to the Submission Requirements. The front cover of the proposal should bear the name and number of the RFP, the date, and the Respondent's name, address, phone number and email address.

2.5 Submittal Forms

Provide, as a part of the proposal, all required certifications and HUD forms, licenses and proof of insurance. All forms that require a signature or initials must bear an original initial or signature.

2.6 Acceptance of Proposals

Proposals must be signed, sealed, and received in completed form at MHA, no later than the proposal closing date and time. Proposals submitted after the designated closing date and time will not be accepted for any reason, and will be returned unopened to the originator.

MHA reserves the right to accept or reject any or all proposals, to take exception to these RFP specifications or to waive any formalities. Respondents may be excluded from further considerations for failure to comply with the specifications of this RFP.

MHA reserves the right to reject the proposal of Respondents, who have previously failed to perform properly or to complete on time, a contract of similar nature. MHA also reserve the right to reject proposals of Respondents who habitually, without just cause, neglect the payment of bills or disregard their obligations to subcontractors, providers of materials, or employees.

2.7 Time for Reviewing Proposals

Proposals received prior to the closing date and time will be securely kept, unopened until the closing date and time. Proposals received after the closing date and time may not be considered. MHA's Evaluation Committee, appointed by the Executive Director, will evaluate all proposals properly received.

The Evaluation Committee will analyze proposals within the 180 days of the date and time due and make a recommendation for award of contract or not to award, to the MHA Executive Director.

2.8 Withdrawal of Proposals

Proposal may be withdrawn by written notice received any time before the contract award. Proposals may be withdrawn in person by Respondent or its authorized representative if the identity of such representative is established and a signed receipt of the withdrawn proposal is received by MHA prior to the contract award.

2.9 Award of Contract

Contract shall be awarded to the Respondent submitting a proposal according to the evaluation criteria contained herein, provided the proposal is in the best interest of MHA. The Respondent to whom the award is made will be notified at the earliest practical date.

2.10 HUD Debarment and Suspension List

The Respondents and all subcontractors' names or businesses must not appear on the HUD's Debarment and Suspension list.

2.11 Certification of Legal Entity

Prior to execution of the contract agreement, the Respondent shall certify that joint ventures, partnerships, team agreements, new corporations, or other entities that either exist or will be formally structured are, or will be, legal and binding under the Alabama State Law and the City of Montgomery, Alabama.

2.12 Cost Borne by Respondent

All cost related to the preparation of this RFP and any related activities are the responsibility of the Respondent. MHA assumes no liability for any costs incurred by the Respondent throughout the entire selection process.

2.13 Best Available Data

All information contained in this RFP is the best data available to MHA at the time the RFP was prepared. The information given in the RFP is not intended as representation having binding legal effect. This information is furnished for the convenience of Respondents and MHA assume no liability for any errors or omissions.

2.14 Contact with MHA Staff, Board Members and Residents

Beyond the above referenced written communications, Respondents and their representatives may not make any other form of contact with MHA staff, Board members, or residents. Any improper contact by or on behalf of Respondents may be grounds for disqualification.

2.15 Licenses and Insurance

The awarded individual/firm shall have and maintain all required licenses necessary to conduct business in the City of Montgomery and the State of Alabama. All licenses must be kept up to date for the duration of any ensuing contract. Copies of all licenses must be in the Procurement/Contract office prior to contract execution.

Prior to contract award and for the duration of the contract, the successful proposer will be required to provide proof of insurance (as outlined) and the MHA shall be named as an additional insured.

Professional Liability (and/or Errors & Omissions) Coverage	\$1,000,000 each occurrence
General Liability Coverage	\$1,000,000 each occurrence
Comprehensive Automobile Liability Coverage	\$1,000,000 each occurrence
Worker's Compensation with Statutory Limits of the State of AL	

2.16 Respondent Responsibilities

Each Respondent is presumed by MHA to have thoroughly studied this RFP and become familiar with the contents, locations, and nature of requests. Any failure to understand completely any aspect of this RFP is the responsibility of the Respondent.

2.17 No Claim Against MHA

The Respondent shall not obtain, by submitting a proposal in response to this RFP, any claim against MHA or MHA's property for reason of all or any part of any of the following: the selection process; the rejection of any or all offers; the acceptance of any offer; entering into any agreements or the failure to enter any agreements; any statement, representations, acts or omissions of MHA or any person or entity acting on its behalf; the exercise of any discretion set forth in or concerning any of the foregoing; and any other matters arising out of the foregoing.

PART III – SUBMISSION REQUIREMENTS

Listed below are the sections that must be included in Respondent's proposal. Each section must be clearly labeled using the bold-faced titles listed below. The required submission must be bound and each section tabbed.

3.1 Staffing and Qualifications

- a. Provide information regarding staff experience and qualifications that demonstrates the Respondent's capacity to perform the required services. Include an organizational chart that illustrates the Respondent's overall staffing approach for completing the required work. Include in the chart all key personnel, specialists and consultants, who will be assigned work under a contract potentially resulting from this RFP.
- b. Provide resumes of all key personnel, specialists, and consultants who will perform the work required by a contract potentially resulting from this RFP. Identify their specific role in the provision of services required. Resumes should include the particular relevant experience of the individual as it relates to their proposed role in the project, in addition to the education, career, and achievement data typically included in a resume. Include evidence of required license and certifications, as applicable, held by the Respondent, its principals, and/or key staff.

- c. Identify all individuals who will be devoted to the project on a full time basis or part time basis (up to 50% of time allocated to project), including those who will be full time only for specific components of the project, as well as those filling a continuing position throughout the project. Provide detailed resumes for each, highlighting the particular experience that qualifies them for the position they will fill.

3.2 Relevant Experience and Past Performance

- a. Identify similar or related work performed for public housing authorities or other agencies that has been completed to date, or is currently active. Include projects completed or currently underway by the responding entity and/or each major participant in the proposal.
- b. For each project identified provide:
 - (1) Project name and address
 - (2) Contact person, title, telephone number, email and address
 - (3) Detailed description of scope of work
 - (4) The client for whom the Respondent's services were performed
 - (5) The size of the project
 - (6) The services performed by the Respondent on the project
 - (7) The dollar value of the contract for the services
 - (8) The duration of the project including start and completion dates, or projected completion date if currently active
 - (9) A reference contact for the project with name, address, email and telephone number
- c. Identify experience in performing work for public housing authorities or other agencies, by the Respondent and/or its participants.
- d. Demonstrate ability to produce reports that are well regarded in the industry in terms of content, timeliness, and responsiveness.
- e. Demonstrate, through written explanation, the Respondent's familiarity with Federal, State, and local laws, regulations and codes that the Respondent believes may be pertinent or applicable to this project.
- f. If the Respondent is a joint venture, or another entity formed solely for responding to this RFP, provide evidence of prior successful collaborations.

3.3 References

Provide a list of current and previous clients. This list must include the name and title of the contact person, with an address, email address and telephone number.

3.4 Respondent's Approach/Engagement Related to Scope of Service

- a. Provide a detailed narrative that demonstrates the approach or how the Respondent will engage with MHA staff.
- b. Outline its anticipated approach/engagement for each element of work identified in the Scope of Services. The outlined approach/engagement should be consistent with the objectives and requirements set forth in the RFP, and should address how services will be immediately provided upon execution of a contract.

- c. Provide a narrative and bar graph type schedule indicating, in weeks, how the work will proceed under the contract, if applicable.
- d. Include proposed processes for ensuring effective coordination, as well as procedures for reporting and disseminating information.

3.5 Proposal Cost

Respondents shall provide a firm total cost along with a detailed itemized breakdown of total cost. Please show all expected expenditure to include all anticipated travel. Total cost must be all-inclusive.

3.6 Required Certifications/Forms

Each proposal shall contain a copy of the following HUD forms, which may be downloaded from the Procurement page of the MHA website: www.mhatoday.org.

- Form HUD-5369-B Instructions to Offerors – Non Construction
- Form HUD 5369-C Certifications and Representations of Offerors – Non-Construction Contract
- Form HUD SF-LLL Disclosure of Lobbying Activities
- Form HUD 50071 Certification of Payments to Influence Federal Transactions
- Form HUD 50070 Certification for a Drug-Free Workplace

PART IV - SCOPE OF SERVICES

The Professional Contractor shall perform such services as required by MHA to complete the work as defined in the Scope of Service, and shall provide all labor, materials, equipment, and services necessary to perform and complete in an acceptable manner the tasks contemplated or otherwise required herein.

Offerors submitting proposals to the RFP must not be debarred, suspended or otherwise prohibited from professional practice by any federal, state or local agency.

Organizations shall provide services as required by law and the approved Admission and Continued Occupancy Policy (“ACOP”) for our Public Housing residents. Currently our residents consist of approximately 1347 participants.

Contractor shall assist and advise MHA on property management/lease enforcement issues, including but not limited to: rent collection; lease terminations and evictions; fair housing compliance; interacting with and counseling tenants; representing the housing authority in grievance hearings, mediation sessions and in court proceedings; following through with vacation of units and disposing of personal property; collections resulting from terminations and/or evictions; and fraud recovery.

Please provide pricing for the following services; as well as, hourly and flat rate fees and any other associated costs for these services:

Contractor shall:

1. Represent MHA in unlawful detainer of action cases for non-payment of rent:
 - a. Review “Notices to Quit” for legal validity;
 - b. Consult with MHA regarding unlawful detainer actions and related matters;
 - c. Prepare and file pleadings in unlawful detainer actions;
 - d. File and serve summons and complaints;
 - e. Perform all necessary actions from initiation of unlawful detainer actions to final disposition, including responding to motions and demurrers, responding to and promulgating discovery, performing any necessary research and drafting of court documents, and appearing in court on behalf of MHA;
 - f. Perform related tasks as assigned by MHA in a timely and thorough manner, providing effective communication with MHA as to the status and outcome of the issues.

2. Represent MHA in unlawful detainer of action cases “for cause”:
 - a. Prepare and serve notices for “For Cause” lease violations
 - b. Prepare unlawful detainer pleadings;
 - c. File and serve the summons and complaints;
 - d. Perform all necessary actions from initiation of the unlawful detainer actions to final disposition, including responding to motions and demurrers, responding to and promulgating discovery; performing any research and drafting of court documents and appearing in court on behalf of MHA.
 - e. Provide weekly status reports to the MHA;
 - e. Perform related tasks as assigned by the MHA;
 - f. Perform all required actions for complex unlawful detainer cases and related actions, such as writs for possession, and appeals.

3. Perform the following miscellaneous services:
 - a. Timely telephone and email status reports on progress of evictions;
 - b. Pickup and delivery of related paperwork for multiple evictions;
 - c. Turnaround time for standard evictions of 30 to 60 days;
 - d. Periodic review of MHA property management forms, as requested;
 - e. Attendance at MHA Board meetings as needed to report on specific cases

QUALIFICATIONS

The following are the minimum qualifications required for an attorney/law firm to be considered as a potential provider of eviction services to the MHA.

1. The attorney/law firm providing legal services to the MHA must be licensed to practice law in the State of Alabama; familiar with the MHA ACOP.
2. The attorney/law firm must certify that there are no conflicts of interest, which would prevent it from representing the Authority.
3. The attorney/law firm must have more than one attorney with the experience and knowledge to provide the legal services to the MHA under the contract.
4. The attorney/law firm must have substantial knowledge and experience in the interpretation of both federal and state laws they relate to tenant-landlord and eviction litigation in Alabama.
5. The attorney/law firm must have a minimum of three years experience in all aspects of tenant/landlord and eviction litigations.

The attorney/law firm providing legal services to the Authority must be familiar with the court system in Montgomery County and provide at least one reference, which demonstrates this.

INFORMATION REQUIRED

Your proposal must include the following:

1. Overall qualification of your firm.
2. Information concerning your firm, including the name and resumes of the contact partner and staff persons who will be assigned to perform the work.
3. A minimum of three current references from clients for whom the firm has provided similar work within the last three years. At least one reference must demonstrate familiarity of the court system in Montgomery County.
4. Explanation of how you intend to provide the required services in a timely manner.
5. Hourly and Flat Rate billing for each individual involved.
6. Discounted rate(s) or cap rate for special functions

ASSIGNED PERSONNEL

Personnel assigned to cases for MHA will be required to have sufficient familiarity and knowledge of those cases to effectively represent MHA in court. The MHA reserves the right to request a change in the firm's representative responsible for performing work if at the MHA's discretion, the assigned representative is not adequately meeting its needs.

Contract Terms

MHA is offering a two (2) year contract, with the option to renew for one (1) additional year, at the MHA's discretion.

PART V – PROCUREMENT PROCESS

5.1 Proposal Evaluation/Contract Award

Proposals received in response to this solicitation will be evaluated using the following evaluation process.

- a. The evaluation process will be used to determine the firms that will comprise the short list, from which final selection for contract award will ultimately be made.
 - (1) During the evaluation process, technical proposals will be evaluated and scored by an Evaluation Committee appointed by the Executive Director.
 - (2) Each member of the Evaluation Committee will score each proposal.
 - (3) Scoring will be based on predetermined Evaluation Criteria. The available points associated with each area of consideration are shown below in Item 5.2.

- (4) The results of the evaluation, of both technical and cost proposals, will be used to determine those proposals to be considered in the competitive range.
 - (5) Proposals will be considered acceptable if they have a minimum score of 85 points and above.
 - (6) The Authority may request that proposers, whose submittals are in the competitive range, make oral presentations concerning their qualifications to the Authority's Evaluation Committee.
 - (7) Cost proposals will be considered acceptable if the proposed cost is clearly not excessive compared to the proposed costs of other Respondents with acceptable technical proposals.
 - (8) Respondents with acceptable technical and cost proposals may be requested to supply additional information to assist in completing the due diligence review. Failure to satisfactorily complete the due diligence review within the timeframe established by MHA will result in disqualification of Respondents proposals.
- b. Scoring will be based upon how well the proposal meets the criteria established in this RFP.
 - c. MHA reserves the right to make no award, or decline to enter negotiations should it believe that no Respondent to this RFP would be capable of delivering the necessary level of service within an acceptable price range and/or the time period.
 - d. The Evaluation Committee will evaluate the merits of proposals received in accordance with the evaluation criteria stated in the RFP and formulate a recommendation. However, while a numerical rating system may be used to assist the Evaluation Committee in selecting the competitive range (if necessary) and making an award recommendation decision, the award decision is ultimately a business decision that will reflect an integrated assessment of the relative merits of the proposal using the criteria and their relative weights disclosed in the RFP.

5.2 Evaluation Criteria

- a. Organizational Capacity: **30 Points****
 - (1) Respondent's organizational capacity will be evaluated through an assessment of the Respondent's staff, specialists', and consultants' experience and qualifications. In addition, the Respondent's ability to perform the work in a timely manner will be evaluated through a review of previous performance on similar projects, as well as current and projected capacity and workload.
 - (2) Maximum consideration will be given to those Respondents having staff with the greatest amount of experience in performing work as required herein, and who can demonstrate sufficient capacity to perform the work timely, given current and projected workload

b. Relevant Experience and Past Performance: 25 Points

- (1) Relevant experience and past performance will be evaluated through an assessment of previous similarly related projects completed to date.
- (2) Maximum consideration will be given to those Respondents, who demonstrate through their submittal, a documented track record of successfully completing projects of the same type required by this RFP.
- (3) Maximum consideration will also be given to those Respondents who exhibit a successful track record of performing similar services for public housing authorities.

c. Respondent's Approach/Engagement Related to the Scope of Service : 25 Points

- (1) The Respondent's approach and response to the Scope of Service will be evaluated through an assessment of the proposed approach for each element of work identified in the Scope of Service.
- (2) Maximum consideration will be given to those Respondents, who demonstrate through their submittal, a clear and prudent plan for performing the required work within the established timeframe, if applicable.

d. Proposal Cost: 20 Points

- (1) Proposal cost will be evaluated through a careful analysis of cost compared to the other Respondents proposals.
- (2) Maximum consideration will be given to those Respondents, who demonstrate through their submittals, the ability to perform the required work at minimum cost to MHA.

Additional Points:

Disadvantaged Business Enterprise (DBE): 5 Points

Section 3 Participation Plan: 5 Points

- (1) The level of Disadvantage Business Enterprise (DBE), Women Business Enterprise (WBE) and Section 3 participation will be evaluated through an assessment of action plans and participation schedules submitted.
- (2) Maximum consideration will be given to those Respondents, who demonstrate through their submittals, that MHA's state participation goals, in terms of DBE, WBE and Section 3 business enterprise contracting, and Section 3 resident employment and training, will be met.

5.3 Summary of Evaluation Criteria

Evaluation Criteria Points

Technical:

Organizational Capacity	30 Points
Relevant Experience and Past Performance	25 Points
Respondent's Approach/Engagement Relative to the Scope of Service	25 Points
<u>Proposal Cost</u>	<u>20 Points</u>
Total	100 Points

ADDITIONAL POINTS:

DBE and WBE Participation Plan	5 Points
Section 3 Participation Plan	<u>5 Points</u>
Total	10 Points

Total Possible Points **110 Points**

The Montgomery Housing Authority

525 South Lawrence Street
Montgomery, Alabama 36104

REQUEST FOR PROPOSAL (RFP) 2018-02 LEGAL REPRESENTATION IN ACTIONS FOR UNLAWFUL DETAINER

DATE ISSUED: Tuesday, January 9, 2018

TYPE OF PROJECT: The Montgomery Housing Authority (MHA) is seeking proposals from qualified firm(s)/individual(s) to assist MHA in Legal Representation in Actions for Unlawful Detainer

CONTACT PERSON: Martha Groomster, Procurement/Contract Administrator
mgroomster@mhatoday.org

SUBMISSION DEADLINE: Tuesday, February 6, 2018 @ 3:00 p.m. (CST)

SUBMISSION ADDRESS: Procurement/Contract Office
Montgomery Housing Authority
525 South Lawrence Street
Montgomery, Alabama 36104

FILL IN BELOW AND SIGN. PRICES ARE GUARANTEED FOR A MINIMUM OF 180 DAYS FROM PROPOSAL DEADLINE DATE.

COMPANY NAME: _____

BY: _____
Signature Written Name Title Date

ADDRESS: _____
Street / POB City State ZIP

PHONE: _____

FAX: _____

EMAIL: _____

ATTACH A COST BREAKDOWN SHOWING EXPENDITURES