



Montgomery Housing Authority

525 South Lawrence Street
Montgomery, Alabama 36104

Request For Qualification (RFQ) Number: 2018-02 Legal Representation

DATE OF ISSUANCE: Thursday, March 1, 2018

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

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

LAST DAY FOR QUESTIONS: Friday, March 16, 2018 @ 3:00 p.m. (CST)

SUBMISSION DEADLINE: Friday, March 30, 2018 at 3:00 P.M. CST

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

Separate sealed proposals will be accepted at the Montgomery Housing Authority, 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 RFQ at the Montgomery Housing Authority on or before the stated time and date will be solely and strictly the responsibility of the respondent. The Housing Authority is not liable for any costs incurred by the offeror prior to issuance of a contract. The offeror shall wholly absorb all costs incurred in the preparation and presentation of the proposal.

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PART I – GENERAL INFORMATION

1.1 Introduction

In compliance with 24 CFR 85.36, Montgomery Housing Authority (MHA) hereby request responses from qualified professionals to perform Legal Representation services for MHA.

1.2 Method of Solicitation

MHA is soliciting qualifications from qualified firm(s) with a documented record of accomplishment of providing the required services, preferably for public housing authorities or other agencies through a formal Request for Qualifications (RFQ) process. Responses 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 response should demonstrate the Respondent's capacity and readiness to perform the Scope of Services immediately upon execution of a contract with MHA. Respondents will include any such experience of working with and/or around historic sites. Finally, the response should include evidence of the Respondent's previous experience and qualifications relative to the provision of such services.

1.3 Obtain Copies of this Solicitation

Single copies of the response package may be obtained, at no cost by visiting the MHA website at: www.mhatoday.org.

Hard copies may be obtained in person at the address below:

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

Persons wishing to be mailed copies may request via [email: mgroomster@mhatoday.org](mailto:mgroomster@mhatoday.org)

PART II – SUPPLEMENTAL INSTRUCTIONS TO RESPONDENTS

2.1 Submission of Response

The instructions below provide guidance on what the qualification-based submittal should contain and how it should be organized. **Respondents should deliver four (4) complete sets, (one (1) original and three (3) copies) and a digital file on a CD or JUMP DRIVE in PDF format.** All submittals must be assembled in the order described in this RFQ, in a sealed envelope or box clearly marked with the words “**Legal Representation”- RFQ 2018-01**”

Sealed responses to this solicitation must be received by MHA no later than, **Friday, March 30, 2018 at 3:00 P.M. CST** at the MHA Procurement/Contract Administration Office, 525 South Lawrence Street, Montgomery, Alabama, 36104.

All proposals must be submitted in accordance with the conditions and instructions provided herein. All proposals must remain open for acceptance for one hundred and eighty days (180) from the due date.

2.2 Interpretations/Questions

During the period between issuance of this RFQ and the proposal due date, no oral interpretation of the RFQ's requirements will be given to any prospective respondent. Requests for interpretation must be made, in writing, at least 5 days before the submission due date and time to: Email: mgroomster@mhatoday.org or Fax to 334-206-7196.

2.3 Addendum and Update Procedures for the RFQ

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

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 organizations. The format of the respondents proposal should be structured the same as the format of the RFQ. Proposals should be organized into sections and tabbed for ease of review. Provide a comprehensive Table of Contents at the front of the proposal. Organize the proposal in response to the Submission Requirements, taking care to address all issues identified in the Scope of Service. The front cover of the proposal should bear the name and number of the RFQ, the date, and the Respondent's name, address, phone, fax 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 the 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 RFQ specifications or to waive any formalities. Respondents may be excluded from further considerations for failure to comply with the specifications of this RFQ.

MHA also 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; that is not in a position to perform the contract. Alternatively, who habitually without just cause neglected the payment of bills or disregarded its 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. No proposals received after the closing date and time will be considered. All proposals properly received will be evaluated by MHA's Evaluation Committee appointed by the Executive Director. The Evaluation Committee will analyze proposals within the 180 days of the date and time due and a recommendation for Award of Contract or not to award to the MHA Executive Director.

2.8 Withdrawal of Proposals

Proposals may be withdrawn by means of a written request or faxed requests dispatched by the Respondent in time for delivery in the normal course of business prior to the time fixed for receipt and must be signed by the Respondent. In addition, withdrawals must be postmarked prior to the date and time set for proposal opening. Negligence on the part to the Respondent in preparing their proposal confers no right to make modifications or withdraw proposal after the due date and time.

2.9 Award of Contract

Contact 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 (www.epls.gov).

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 Alabama State Law and the City of Montgomery, Alabama.

2.12 Cost Borne by Respondent

All cost related to the preparation of this RFQ 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 RFQ is the best data available to MHA at the time of the RFQ was prepared. The information given in the RFQ 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 Contacts 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

The awarded individual/firm or lead 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 the awarded contract. Copies of all licenses must be in the Procurement/Contract Office prior to contract execution.

2.16 Respondent Responsibilities

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

Please furnish a brief history of your company including how long you have been in business, major offices located in Montgomery, Alabama and/or major offices located in the southeast United States.

3.2 Staffing and Qualifications

Provide information regarding staff experience and qualifications that demonstrates the Respondent's capacity to perform the required services. Include an organizational chart that illustrates 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 RFQ.

3.3 Relevant Experience and Past Performance

- A. Identify similar or related work performed for public housing authorities or other public agencies as it relates to historic sites that have been completed to date, or is currently active.
- B. Identify past experience in performing work for public housing authorities or other agencies by the Respondent and/or its participants.
- C. Demonstrate ability to perform the services that are well regarded in the industry in terms of content, timeliness, and responsiveness.
- D. 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.
- E. If the Respondent is a joint venture, or another entity formed solely for responding to this RFQ, provide evidence of prior successful collaborations.

3.4 References

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

3.5 Respondent's Approach and Response to Scope of Service

- A. Provide a detailed narrative that demonstrates the approach intended for use by the Respondent.
- B. The Respondent should outline its anticipated approach for each element of work identified in the Scope of Services.
- C. The approach outlined should be consistent with the objectives and requirements set forth in the RFQ, and should address how services will be immediately provided upon execution of a contract.
- D. Include proposed processes for ensuring effective coordination, as well as procedures for reporting and disseminating information.

3.6 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.

3.7 Required Certifications/Forms

Each proposal shall contain a copy of the following HUD forms, which maybe downloaded from the Procurement page of MHA web site: www.mhatoday.org.

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

PART IV - SCOPE OF SERVICES

Legal Council shall provide all labor, materials, equipment, supervision, and transportation necessary to provide the services outlined in this RFP. The services will include, but are not limited to:

- Render legal services of all nature and description to ensure compliance with Federal, State and Local laws and regulations, including particularly compliance with HUD regulatory requirements.
- Draft general contracts and other instruments for the Authority
- Render advice to the Executive Director, Board of Commissioners and employees concerning the activities of the Authority
- Attend all regular monthly Board of Commissioner's meeting and special call meetings
- Representation in litigation in the state or federal courts and before any administrative bodies wherein the Authority required representation
- Perform other related tasks as assigned

Legal Services and advice rendered shall include, but are not limited to:

- a. Interpret local, state and federal codes, laws, rules and regulations as they apply to MHA
- b. Public contracting and procurement issues
- c. Personnel and labor matters
- d. Policy and Procedure Review
- e. Landlord/tenant matters
- f. Litigation or negotiation
- g. Insurance matters
- h. Real Estate, Finance, Development and Management
- i. Corporate matters
- j. Taxation
- k. Environmental, accessibility and other tenant compliance issues

Extraordinary Legal Services

Extraordinary legal services shall mean those legal services that involve complex litigation and/or specialized areas of practices. Fees for extraordinary legal services will be assessed and paid in accordance with an hourly fee schedule.

Contract Terms

MHA anticipate that it will initially award a contract for a period of three (3) year with the option, at MHA's discretion, to renew for two one (1) additional one year terms.

PART V - PROCUREMENT PROCESS

5.1 Evaluation Process

The following procedures will be followed for the evaluation:

- A. An evaluation committee is formed.
- B. All submittals are evaluated individually on qualifications and experience of the proposer.

The evaluation will consist of a qualitative review of the proposal to determine how it meets the minimum requirements.

- C. The committee will select those submittals determined to be within the competitive range (minimum score of **85 points** or above).
- D. The Authority reserves the right to make an award based solely on the proposal or to negotiate further with one or more proposers.
- E. 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 and/or the Board of Commissioners. Presentations will be scheduled by MHA on an individual basis. Furthermore, MHA may request either an on-site or telephonic interview with proposers in which the evaluating committee has deemed competitive.
- F. Negotiation of a reasonable price for the intended scope of work as it is assigned will be held with selected firm.
- G. MHA reserves the right to make no award, or decline to enter negotiations should it believe that no Respondent to this RFQ would be capable of delivering the necessary level of service within an acceptable price range and/or the time period.

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 performing services of the same type required by this RFQ.

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 and Response to Scope of Service: 20 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.

D. Proposal Cost: 25 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:

E. Disadvantaged Business Enterprise (DBE) And Section 3 Participation Plan:

DBE / WBE participation 5 points
Section 3 participation 5 points

1. The level of Disadvantaged Business Enterprise (DBE), Woman Business Enterprise (WBE) and Section 3 participation will be evaluated through an assessment of the action plans and participation schedules submitted.
2. Maximum consideration will be given to those Respondents, who demonstrate through their submittals, that MHA’s stated 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

Technical:

Organizational Capacity	30 Points
Relevant Experience and Past Performance	25 Points
Respondent’s Approach/Response to Scope of Service	20 Points

Proposal Cost	25 Points
Total	100 Points
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ADDITIONAL POINTS:	
DBE and WBE Participation Plan	5 Points
Section 3 Participation Plan	<u>5 Points</u>
Total	10 Points
Total Possible Totals	110 Points

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525 South Lawrence Street
Montgomery, Alabama 36104

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Legal Representation

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

LAST DAY FOR QUESTIONS: Friday, March 16, 2018 @ 3:00 p.m. (CST)

SUBMISSION DEADLINE: Friday, March 30, 2018 at 3:00 P.M. CST

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

Description/Title	Proposed Cost Year 1	Proposed Cost Year 2&3	Proposed Cost Year 4&5 (Option to Renew @ MHA's Discretion)
Shareholder (Partner)	\$ per hour	\$ per hour	\$ per hour
Associate	\$ per hour	\$ per hour	\$ per hour
Paralegal	\$ per hour	\$ per hour	\$ per hour
Other Support Staff	\$ per hour	\$ per hour	\$ per hour
TOTAL COST:	\$	\$	\$

COMPANY NAME: _____

BY: _____
 Signature Written Name Title Date

ADDRESS: _____
 Street / POB City State ZIP

PHONE: _____ FAX: _____ EMAIL: _____

ATTACH A COST BREAKDOWN SHOWING EXPENDITURES