

REQUEST FOR PROPOSAL FOR GENERAL LEGAL SERVICES

The Housing Authority of the City of Orange (hereinafter called the "Authority") is requesting proposals for General Legal Services from Attorney's Licensed to do business in the State of New Jersey (hereinafter called the "Attorney").

The Authority operates 250 low income public housing senior units which are located at 340 Thomas Blvd., Orange, New Jersey and a Section 8 voucher program with the capacity for 741 participants. The Authority is also responsible for approximately 30 scattered sites throughout the City of Orange.

The Authority files an average of 5-10 tenant non-payment cases each month, of which an average of 4 to 6 require appearances. There is no guarantee that these averages will continue during the one-year contract period. The Authority also enters into approximately 8-12 contracts for construction services, maintenance services and other professional and non-professional services during a one-year period.

The Authority's monthly public meeting is held the third Thursday of each month at 6:00 pm. When required the Authority holds special public meeting for special purposes. There should be no more than 4 special meetings per year.

The Attorney will provide legal services and advice to the Authority in connection with the operation and management of the Authority, including but not limited to:

- a. Preparation for and attendance at all regular monthly Authority meetings, all special meetings and supervision as to legality of the official minutes of the Authority. Advise in the formulation and drafting of resolutions.
- b. Conferring with and advising the officers, employees and members of the Authority on legal matters pertaining to the Authority business when requested.
- c. Advice and assistance to the Authority in the preparation of all legal documents, papers, contracts, specifications, bonds, waivers and other such legal matters as may be required from time to time.
- d. Advising and consulting with all parties having dealings with the Authority of a legal nature.
- e. Approval of the legality of contracts and payments there under.
- f. Handling of all legal questions and matters arising under contracts of the Authority and rendering of legal opinions on all matter submitted by the Authority.
- g. Giving notice to and consulting with the Authority's insurance carriers in all

cases of injury to person or property involving the local Authority.

- h. Review and approve all documents pertaining to temporary and permanent financing relating to all projects covered by this Agreement.
- i. Appear on behalf of and represent the Authority in Court in all litigated matters, excepting all extraordinary cases as hereinafter provided.
- j. Appear for and represent the Authority regarding union contract negotiations and impasse proceedings including the preparation and review of documents pertaining thereto.
- l. When required represent the HA with employee grievance arbitration.
- m. Appear for and represent the Authority in all employee disciplinary hearings whether informal or before an Administrative Law Judge.

Invoices or billings shall include sufficient details as to time expended and nature of actual services provided.

The Attorney shall, whenever he/she is of the opinion that any litigation involving the Authority is extraordinary and beyond the scope of services as set forth above, then and in that event, the Attorney shall be required to notify the Authority. The Authority will submit the matter to the Department of Housing and Urban Development and in the event any such litigation is in the opinion of the Office of the Regional Counsel of the Department of Housing Urban Development, extraordinary, the Attorney shall, upon written request of the Authority, perform such litigation, which will be considered extra services.

In the event of extra services, the Attorney shall furnish the Office of the Regional Counsel of the Department of Housing and Urban Development of pleadings, answers and brief of both Plaintiff and Defendant in all litigation in all extraordinary matters, in which the Housing Authority is a party except routine eviction actions and suits for arrears in rents.

The Authority shall reimburse said Attorney for expenses and disbursements incurred with the approval of the Authority, in connection with legal matters handled by the Authority, limited to court costs, witness fees, recording fees, postage, but not including the Attorney's office or overhead expenses, such as auto expenses, parking fees and telephone, fax and other such costs.

The Agreement shall run for a two-year period beginning February 1, 2020 to January 31, 2021.

TOTAL FEE PER YEAR _____ NOT TO EXCEED.

Cost for Attorney Services shall be broken down in the proposal as follows:

Responsibilities and duties of general counsel. Respondent's proposal for the two-year lump sum retainer is \$ _____ (_____) payable in twenty-four equal monthly installments of \$ _____ (_____)

No member, officer or employee of the Housing Authority during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in the contract for general legal services or the proceeds thereof.

No member, or delegate of the Congress of the United States of America or Resident Commissioner, shall be admitted to any share or part of this contract or to any benefits which may arise there from.

All proposals shall state where indicated above, compensation to be charged by the Attorney.

PROPOSAL REQUIREMENTS

All proposals must include a resume of related experience for the firm and resumes of all attorneys who will provide legal services under an agreement with the Housing Authority. The firm and all members of the firm shall be licensed by the State of New Jersey to practice law and shall submit a certification indicating that the firm and/or any attorneys that will be representing the Housing Authority is not under suspension or debarred from practicing law by the State of New Jersey.

A. 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.

B. 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 OHA's needs and qualification requirements.

C. Company Profile- Provide a history of the business and a biography of all key attorneys who would be handling OHA matters. This should include a narrative identifying any public housing authorities that the Attorney/firm has represented over the past ten (10) years to which the Attorney/firm has provided similar services.

D. 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.

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 Eight (8) Copies of Proposal
- b) HUD-5369C – Certification and Representations of Offerors
- c) Certification Non-Debarment, Suspension, Ineligibility and Voluntary Exclusion
- d) Non-Collusion Affidavit
- e) Statement of Corporate Ownership
- f) Affirmative Action Compliance Notice
- g) New Jersey Business Registration Certificate
- h) Certificate of Insurance
- i) Declaration Page for Professional Liability Insurance
- j) Completed Proposal Document Checklist

Failure to provide any of the above documentation at the time of submission may be considered a fatal defect warranting rejection of the proposal.

The Authority will base their selection on the evaluation of data submitted with proposal addressing the following criteria:

1. Experience - 40 Points
 - a. The extent of major litigation in government, federal and local issues.
 - b. The extent of experience in handling government, federal and local issues.
 - c. The extent of experience in HUD litigation and other HUD related issues, including evictions, contracts and construction matters.
2. Compensation - 50 Points
 - a. The amount of the annual fee to be charged for the service required under the contract.
 - b. Other fees to be charged for any extra services.
3. Capability to provide the service indicated in a professional, timely manner- 10 Points

The Housing Authority 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. Eight copies of the proposal must be received at the Orange Housing Authority office, 340 Thomas Boulevard, Orange, New Jersey 07050, on or before 10:00 a.m., on Wednesday, December 16, 2019. Envelope must be clearly marked "**PROPOSAL FOR GENERAL LEGAL SERVICES**", and marked to the attention of Dr. Walter D. McNeil, Jr., Executive Director.