

Deerfield Beach Housing Authority



REQUEST FOR PROPOSALS 2010-1

LEGAL SERVICES

The Deerfield Beach Housing Authority is accepting proposals from qualified firms for all of the following Legal Services listed below:

1. General Legal Counsel
2. Employment/Labor Relations
3. Evictions & Tenant related services
4. Constructions and Contracts

Proposals should be delivered to the Deerfield Beach Housing Authority, 533 S. Dixie Highway, Ste 201 Deerfield Beach, FL 33004 on or before 3:00 P.M., Friday, August 27, 2010, and clearly marked "***Proposal for Legal Services***".

Bid packages can be obtained at the Deerfield Beach Housing Authority, 533 S. Dixie Highway, Ste 201 Deerfield Beach, FL 33441, Telephone Number(954) 425-8449 ext 110, Fax (954) 425-8450 and Email at pdavis@dbhaonline.org.

The Deerfield Beach Housing Authority reserves the right to waive any minor irregularities as well as reject any and all proposals.

DEERFIELD BEACH HOUSING AUTHORITY
REQUEST FOR PROPOSALS FOR LEGAL SERVICES

I. DESCRIPTION

The Deerfield Beach Housing Authority, hereinafter referred to as DBHA, is responsible for the administration/management of the following:

Low rent public housing	
Stanley Terrace	Ninety-six (96) two and three bedroom walk up units
Palms of Deerfield	One- hundred efficiency and one bedroom units
Housing Choice Voucher Program	481units

Additionally, DBHA also manages under contract 56 units of LITC, affordable townhomes called The Palms of Deerfield Beach for the Palms of Deerfield Beach, LP. DBHA owns one hundred percent of the Palms of Deerfield Beach, Inc., a Florida for profit corporation.

The primary source of funding for the operations of the various programs comes from the U.S. Department of Housing and Urban Development. Additional funding comes as a result of grants, both local and federal and in collection of rents and related charges.

DBHA is soliciting this Request for Proposals (RFP) for Legal Services for a two (2) year contract term with option to renew for up to three (3) additional one (1) year terms.

II. SCOPE OF LEGAL SERVICES REQUIRED

The DBHA intends to award a contract to a qualified firm or firms to provide legal services necessary to the operation of the agency. The firm or firms selected should at minimum be able to provide for all of the following services.

1. GENERAL LEGAL COUNSEL

- a. Serve as general counsel and represent the DBHA in any legal matters.
- b. File lawsuits on behalf of the DBHA and serve as counsel on any matters pertaining to the case.
- c. Represent the DBHA in court on lawsuits filed against it by contractors, residents, landlords and others.
- d. Provide written legal opinions on varying circumstances with respect to procurement regulations of the Local Government Code, Code of Federal Regulations, HUD Procurement Standards Handbook and others as necessary.
- e. Review contracts (i.e. contracts for services, including professional services contracts, construction contracts, non-dwelling occupancy leases or special purpose agreements, etc.) as needed and provides advice for areas such as contract negotiation and resolution of contract disputes.

- f. Assist in preparing correspondence or other documents to contractors, vendors, agents, etc. as may be necessary to protect the Authority's interest for both the present and future.
- g. Assist in the interpretation of regulations by Local, State, and Federal agencies.
- h. Provide legal representation and act as liaison with HUD's Legal Department and HUD's Offices, at a minimum.
- i. Review general legal matters including contracts and other corporate matters that may arise from time to time.
- j. Litigation: Respond and/or defend matters arising out of disputes pertaining to any of its programs. The final disposition of litigation matters is generally subject to review and approval by HUD. Most insured claims against DBHA would normally be handled through the appropriate insurance carrier.
- k. Consultation: Many situations which DBHA deals with on a daily basis are technical in nature and subject to HUD or other regulatory body regulations. Therefore, DBHA management and, in some instances, the Board of Commissioners, requires consultation and legal guidance in the application of these regulations and the creation of policy (Board) and procedures (DBHA). Legal counsel will attend as requested monthly and special meeting of the Board of Commissioners.

2. EMPLOYMENT/LABOR RELATIONS

- a. Represent the DBHA in personnel matters including, but not limited to, formulating procedures for hiring and terminating employees and any subsequent actions.

3. EVICTIONS & TENANT RELATED SERVICES

- a. Bring summary process actions in County Court and to otherwise represent DBHA's interest in non-payment of rent cases and termination of leases.
- b. Represent the DBHA in informal hearings against residents or formally in a court of law as may be determined by the circumstances.
- c. Provide training as requested on DBHA Dwelling Lease, Section 8 Certification and Leasing Process and the eviction procedures and/or voucher withdrawal procedures to persons serving as Hearing Officers.

III. SUBMITTAL OF PROPOSAL

- 1. DBHA requires each Proposer responding to RFP to submit one (1) original and one (7) copy of a written proposal addressed as follows:

ATTENTION: LEGAL SERVICES PROPOSAL

Deerfield Beach Housing Authority
 Sylvia Poitier Business Skills Center
 533 S Dixie Highway- Second Floor
 Deerfield Beach, Florida 33441

All proposals must be received on or before 3:00 P.M., Friday, August 27, 1010 (the Deadline Date).

2. Proposals may not be withdrawn for a period of sixty (60) calendar days from the deadline date.
3. DBHA reserves the right to accept or reject any or all proposals; to waive technicalities and to award the contract to the most responsive proposal that best meets the needs of DBHA. DBHA will review proposals' compliance with submission requirements. Proposals that do not meet the submission requirements or, are submitted after the deadline will be determined as non-responsive.

Any questions concerning the Request for Proposal should be directed to Pamela E. Davis, Executive Director in writing at pdavis@dbhaonline.org. Offerors must submit all questions, in writing, to DBHA at least (10) days prior to the date proposals are due. DBHA will answer written, timely submitted questions in written addendum to the RFP. DBHA will have these addenda on file and available for inspection at DBHA's Main office not later than five (5) days prior to the proposal submission date. Oral communication is strongly discouraged and DBHA will not be bound by any such communication regarding RFP.

IV. FORM OF PROPOSAL

Each proposal should include:

1. STATEMENT OF PROPOSER'S QUALIFICATIONS AND EXPERIENCE

Proposer should include the business name of the Proposer, the location of the Proposer's principal place of business and an organizational chart that includes assignment of responsibilities. DBHA requests the Proposer to provide a brief biographical summary of the principal partners of the firm as well as the attorney(s) who would primarily service DBHA in each requested legal services type. The brief biographical summary should include the abilities, qualifications and experiences of the above-mentioned firm members. Proposer should include three (3) appropriate references from clients with similar types of needs including, if available, governmental, non-profit or Housing Authority entities. DBHA requests telephone number as well as the length and nature of professional relationship with that entity. DBHA encourages Proposer to detail its qualifications and experience in the principal types of legal services identified above.

2. COST OF SERVICES

Proposer is required to specify hourly, billable rate charges for each attorney and support staff that will likely provide professional services to DBHA. If there are any other related costs foreseeable by the Proposer as reimbursable, Proposer should note them in this section.

3. TRANSITION

Proposers are advised that there are currently no unresolved legal matters at DBHA.

4. OTHER

At the Proposer's option, any relevant information not specifically requested above may be included to enhance the proposal submission. Areas of interest to the Commission include, but are not limited to, data concerning information or the number of successful evictions and specific training/knowledge related to HUD programs the firm has acquired.

V. MINIMUM QUALIFICATIONS

The qualifications DBHA is seeking include the following:

1. Firm members representing DBHA must be admitted to practice in the State of Florida and in good standing.
2. Firm members must be admitted to practice before the Federal judiciary and have litigation experience before the Federal bar when representing DBHA of these issues and in good standing.
3. Litigation experience as necessary.
4. Familiarity with public housing legal issues including the governing Florida State Statutes and Federal Public Housing Code and related HUD regulations.
5. Familiarity and experience with Florida Statutes Chapter 83, Florida Landlord and Tenant Law.
6. Proof of professional liability insurance in the minimum amount of \$1,000,000.
7. Confirmation that the firm consistently runs conflict checks and that the firm is free from potential conflicting interests from business foreseeable conducted by DBHA.

VI. ADDITIONAL PREFERRED EXPERIENCE

The preferred qualifications DBHA view favorably includes:

1. Familiarity with public procurement law including legal counseling, litigation and dispute resolution.
2. Familiarity with regulatory analysis and litigation at state and national levels.
3. Familiarity with construction and contract law.
4. Experience with labor and employment law.
5. Other benefits, capabilities and experiences the Firm wishes to offer.

VII. METHOD OF SELECTION

DBHA will review and screen all written proposals based on minimum qualifications and criteria for selection. DBHA may conduct competitive negotiations with one (1) or more proposers.

VIII. CRITERIA FOR SELECTION

1. Proposer's must meet the minimum qualifications set forth in Section V above.

2. DBHA will evaluate the elements of Proposer's response and the following points will be assigned according to the objective criteria:
 - A. Relevant experience of the firm 30 points
 - B. Qualifications of individual(s) assigned as primary counsel by legal service type 30 points
 - C. Capacity of firm to handle the variety of foreseeable legal issues 20 points
 - D. Proposed fee schedule 20 points

IX. GENERAL

1. All proposals and materials contained therein shall become the property of DBHA upon submittal.
2. Regardless of outcome, Proposer shall not hold DBHA responsible for any expense in the preparation of its RFP or in negotiating toward a contract.
3. DBHA will reject the proposal of any proposer who is debarred by the U.S. Department of Housing and Urban Development (HUD).
4. The determination of the criteria and process whereby proposals are evaluated, and the decision as to who shall receive a contract award or whether or not an award shall be made as a result of the RFP, shall be at the sole discretion of the DBHA, its Board of Commissioners and HUD.
5. The DBHA reserves the right to reject any and all proposals for any reasons at its sole discretion.

X. CONTRACT AND AWARD

Award will be to the firm which is determined to be in the best interest of the DBHA.

The Contract for legal services in this RFP document will be subject to the approval of the DBHA's Board of Commissioners.

The Contract shall commence on the date specified therein and shall terminate upon completion of all services required pursuant to the contract unless terminated as provided therein. The term of contract shall not exceed two (2) years with option to renew for up to three (3) additional one (1) year terms.