

Housing Authority of the Township of Edison

REQUEST FOR PROPOSALS

General Legal Services

The Housing Authority of the Township of Edison, New Jersey, hereinafter referred to as the “Authority”, will accept proposals for “General Legal Services” for (2) years, 24-months period commencing, **December 1, 2021 to November 30, 2023**. It is the Authority’s desire to retain and employ a duly qualified attorney to act as General Counsel for the Authority 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 existing rules, orders, directives and regulations promulgated by the United States Department of Housing & Urban Development, the laws of the State of New Jersey, provided that such compliance is in the best interest of the Authority and are required by law.

The scope of the General Legal Services being requested will relate to all of the Authority’s programs (including, but not limit to, Public Housing, Section 8 Housing, Capital Fund Program, Leveraging and Shelter Plus Care Grant). All services required of the Attorney are found on the Edison Housing Authority website: www.edisonha.org under “Procurement” as *Agreement for Legal Services*.

Sealed proposals must be submitted by 10:00 a.m. on Tuesday, November 16, 2021 at the Authority offices located at 14 Rev. Samuel Carpenter Blvd. Edison, NJ 08820. The Authority is an equal opportunity employer and does not discriminate on the basis of race, color, national origin, sex, religion, age or handicap status in the employment or procurement of services. Offerors are required to comply with NJAC 17:27. The Authority reserves the right to reject any and all proposals.

The proposal is being solicited through a fair and open process in accordance with NJSA 19:44A-20.4.

Threshold Qualifications

1. Must be licensed to practice law in the State of New Jersey
2. Must have experience representing housing authorities and an understanding of HUD funded programs and related federal regulations
3. Must be well versed in the New Jersey Local Public Contracts Law, New Jersey Open Public Meetings Act, and State and Local Housing Authorities Law.
4. Must be approvable by the U.S. Department of Housing & Urban Development.

Proposal Submission

All qualified candidates interested in submitting a proposal for “General Legal Services” must submit two completed and executed copies of the *Agreement of Legal Services*, as well as a detailed resume and cover letter demonstrating the candidate meets the threshold requirements of this RFP.

All proposals should be sealed and mailed or hand-delivered on or before **Tuesday, November 16, 2021, 10:00 A.M.** Envelopes should be addressed as follows

Deborah M. Hurley, Executive Director
Housing Authority of the Township of Edison
14 Rev. Samuel Carpenter Boulevard
Edison, New Jersey 08820

Attn: **“PROPOSAL FOR LEGAL SERVICES”**

Office hours are: Monday through Friday (excluding holidays)
8:30 A.M. to 4:30 P.M.

Office Telephone: (908) 561-2525

Proposal Review

All proposals will be evaluated, rated and ranked in accordance with the evaluation criteria set for in the RFP package.

The Authority retains the right to reject any and all proposals or award a contract for performance of the above-cited services to the offer or whose proposal is most advantageous to the Authority.

Deborah M. Hurley, C-PHM
Executive Director

**HOUSING AUTHORITY OF THE TOWNSHIP OF EDISON
RFP for GENERAL LEGAL SERVICES**

I. TECHNICAL SPECIFICATIONS

A. RESPONSIBILITIES AND DUTIES OF GENERAL COUNSEL

Responsibilities and duties of General Counsel inclusive for the Annual Retainer shall be:

1. Counsel shall confer with and provide legal advice to the members and staff of the Authority and handle all routine litigation.
2. Counsel shall attend all Public Meetings (regular and special) and Executive Sessions of the Board of Commissioners. Counsel shall prepare Minutes of the Executive Sessions and supervise, as to legality, the official minutes of the Authority.
3. Counsel shall prepare and/or review, as requested, Board of Commissioner Resolutions and Motions.
4. Counsel shall opine on the legality of the substantive matters of resolutions and motions of the Board of Commissioners.
5. Counsel shall submit to the Board of Commissioners a quarterly report of all pending litigation and other matters being handled.
6. Counsel shall review, as requested, all specifications for bids and/or quotations for legal compliance.
7. Counsel shall advise and assist the Authority in the preparation and/or analysis of all contracts, leases, position papers, and other instruments on certificates as may be required from time to time and at any time. Counsel shall handle all legal questions arising from or pertaining to all such instruments and certificates including but not limited to the rendering of legal opinions (oral or written) on all matters submitted by the Authority.
8. Counsel shall appear for and represent the Authority in routine litigation matters. A case shall be considered “routine” if it does not require substantial litigation services. Whenever the Attorney is of the opinion that litigation is non-routine, the Authority shall be notified promptly. If it is in agreement with the Attorney’s opinion, the Authority shall retain litigation counsel in accordance with its procurement policy and the HUD Litigation Handbook.

B. AVAILABILITY FOR “NON-ROUTINE” LITIGATION

1. Counsel shall be available for “non-routine” litigation at the discretion of the Authority. Litigation should be considered non-routine if it requires substantial litigation services beyond those provided in Subsections A and B above. These services will only be authorized in accordance with the Authority’s procurement policy and HUD Litigation Handbook.

II. SELECTION PROCESS

1. The contract will be awarded to the offeror submitting the proposal which is most advantageous to the Authority considering price and other criteria as determined by the Authority in accordance with the Evaluation Factors contained in Section III below.

2. The proposal must include the resumes of the individual(s) who propose to represent the Authority and at least five recent references (housing authorities most preferred, similar businesses next preferred) which contain business name, address, telephone number and name of contact person. The Authority may contact any and all references to verify or clarify knowledge and or experience in evaluated areas as demonstrated with other clients.

III. EVALUATION PROCESS-COMPETITIVE PROPOSAL EVALUATION SYSTEM

All proposals will be evaluated by the Authority in accordance with the following factors and requirements:

FACTORS:	POINTS:
1. Specific experience with laws, regulations and business aspects of State/Federal Public Housing Agencies. Scoring of this evaluation factor shall be based on evidence of experience in the following areas: a. New Jersey and Federal Public Contracts and Procurement Laws b. New Jersey local government ethics laws c. Right-to-know laws d. NJ Local Housing Authorities Law e. HUD's Procurement Regulations f. Open Public Meeting Law and Regulations g. Davis Bacon laws, rules and regulations	50
2. Experience in financial obligations of Housing Authorities. Scoring of this evaluation factor shall be based on evidence of experience in the following areas: a. Non-Profits b. Public Housing Authority Joint Insurance Fund (PHAJIF) c. Inter-local Agreements d. Redevelopment	25
3. Price. a. Proposers shall submit an annual fee that will represent the full compensation for services to be rendered under this contract for each of two years under the contract. b. The annual fee shall include a set amount of evictions which proposers shall specify in this section. Proposers shall also include the fee for each eviction in excess said amount of evictions filed on behalf of the Authority c. Counsel shall include an hourly rate for "non-routine" litigation at the discretion of the Authority. Litigation should be considered non-routine if it requires substantial litigation services beyond those provided in Subsections A and B above. Include all applicable hourly rates in this section.	15

IV. SUBMISSION REQUIREMENTS

1. Interested firms shall submit two counterparts of their proposal and two originally executed counterparts of Agreement for Legal Services in a sealed envelope

mailed or hand-delivered on or before **Tuesday, November 16, 2021, 10:00 A.M.**
Envelopes should be addressed as follows:

Deborah M. Hurley, Executive Director
Housing Authority of the Township of Edison
14 Rev. Samuel Carpenter Boulevard
Edison, New Jersey 08820
Attn: **“PROPOSAL FOR LEGAL SERVICES**

The proposals must be sealed in an envelope clearly marked “Legal Services-Do not open before 10:00 a.m. on 11/16/21” with the Respondent’s name, address, telephone number and fax number.

2. The resumes of the individual(s) who propose to represent the Authority and at least five recent references (housing authorities most preferred, similar businesses next preferred) which contain business name, address, telephone number and name of contact person. The Authority may contact any and all references to verify or clarify knowledge and or experience in evaluated areas as demonstrated with other clients.
3. Detailed explanations of evaluation factors 1-3 under part III above.
4. A signed Stockholder Disclosure Certification.
5. A signed Non-Collusion Affidavit.
6. A Business Registration Certificate
7. Two completed counterparts of the Agreement for Legal Services with original signatures.