

Legal Request for Proposals

Bath Housing Authority is seeking the assistance of a legal firm or attorney to provide us with legal services related to tenant landlord matters for its owned and managed housing programs.

Bath Housing Authority (BHA) is a Public Housing Authority (PHA) authorized under the United States Housing Act of 1937, as amended, and provides decent, safe, and sanitary dwellings at affordable rents to lower-income families. Bath Housing Authority is a non-Federal public agency authorized by state and local legislation.

Bath Housing Authority functions in the capacity of developer, owner, and manager of its lower-income public housing projects and serves as the third-party property management for other entities. BHA has the responsibility for planning, financing, constructing, and managing its properties subject to applicable laws and contractual relationships with HUD and the local governing body. The landlord-tenant relationship of BHA is established by virtue of its leasing agreements with its tenants. BHA performs the functions of a private landlord, including leasing units, collecting rents, maintaining the properties, and all of the other responsibilities related thereto.

Bath Housing Development Corporation is an affiliated nonprofit corporation in the state of Maine and is tax exempt under section 501(c)(3) of the Internal Revenue Code. It currently owns 88 rental housing units and 7 commercial units, along with a parking lot, in multiple scattered site properties with a variety of financing. All BHDC properties are managed by BHA.

Bath Housing Authority currently employs 12 full-time employees. The administrative office is located at 80 Congress Avenue, Bath, Maine. Additional information on Bath Housing's programs and financial status can be found at bathhousing.org.

Evictions are never the first choice of Bath Housing but rather the last choice. Bath Housing recognizes the strain and harm an eviction places on a resident's quality of life, let alone the financial toll it places on the organization. Therefore, Bath Housing places emphasis on working with the resident to identify other avenues and ideally, to avoid evictions. Bath Housing follows every available option and pathway to find compromises and seek a mutually beneficial solution with the resident. Its staff is organized with a *Housing Team*, where property management, maintenance and resident services work closely together and early intervention is key. The Resident Services team has an extensive list of resources including VOA mediation, Pine Tree Legal, financial resources information sheet, and 211. The organization understands that each resident and property is unique, and, to the extent possible, is flexible and adaptable in the resolution of housing issues.

Proposals to provide legal services to Bath Housing Authority must be submitted by 12:00 pm (noon), Friday, February 26, 2021. Submissions should be in electronic format and sent to Debora Keller, Executive Director, dkeller@bathhousing.org. Responses must contain the following:

1. General Requirements

- a. A statement that the firm or individual understands the scope of the services being requested and a discussion of philosophy and approach to eviction prevention;
- b. Evidence that the firm or individual is qualified and able to perform the work; a list of staff who will be working on the project including resumes or bios and any applicable certifications;
- c. Evidence that the firm or individual has experience in Forcible Entry and Detainer law within the State of Maine;
- d. Evidence that the firm or individual is licensed to practice law in the State of Maine;
- e. A schedule of hourly fees of all staff who may work on the project;
- f. References of at least three current clients, including contact person name, e-mail, and phone number. If the firm works with any Maine housing authorities, please include those as references;
- g. A statement that the firm or individual is prepared to provide services beginning March 2021.
- h. Evidence that the firm or individual is fully insured for professional liability.

2. Evaluation Criteria

Upon receipt of the responses to this request, Bath Housing will evaluate the proposals using the following criteria.

- a. Qualifications of firm or individual based on knowledge, technical competence, and shared philosophy as demonstrated in the response (40 points);
- b. Qualifications and expertise as demonstrated through client references (30 points);
- c. Schedule of hourly fees to be charged for legal services (30 points).

Each proposal received will first be evaluated for responsiveness (e.g., meets the minimum of the published requirements). Bath Housing reserves the right to reject any proposals not minimally responsive (we will notify such firms in writing of any such rejection). Based upon its evaluation of the proposals, Bath Housing will negotiate for

the purpose of entering into a contract for services with the firm or individual we have found to best suit its needs.

A Bath Housing internal committee will review and score the proposals based upon the scoring criteria provided. Bath Housing shall interview the top scorer(s) as they deem qualified to proceed to the next steps. Based upon the results of this/these interview(s), Bath Housing shall negotiate a contract for services with the firm the is determined to best meet its needs.

3. *Reservation of Rights*

- a. Bath Housing reserves the right to reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, if deemed by the HA to be in its best interests.
- b. Bath Housing reserves the right not to award a contract pursuant to this RFP.
- c. Bath Housing reserves the right to terminate a contract awarded pursuant to this RFP, at any time for its convenience upon 10 days written notice to the successful proposer(s).
- d. Bath Housing reserves the right to retain all proposals submitted and not permit withdrawal for a period of 30 days subsequent to the deadline for receiving proposals without the written consent of BHA/THA.
- e. Bath Housing reserves the right to negotiate the fees proposed by the proposer entity.
- f. Bath Housing reserves the right to reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.
- g. Bath Housing shall have no obligation to compensate any proposer for any costs incurred in responding to this RFP.

4. *Contract Period*

The HA anticipates that it will initially award a contract for the period of 3 years with the option, at the discretion of Bath Housing Authority, of two additional one-year option periods.

5. *Licensing and Insurance Requirements*

Prior to award (but not as a part of the proposal submission) the *successful proposer* will be required to provide:

- a. An original certificate evidencing General Liability coverage, naming the HA as an additional insured, together with the appropriate endorsement to said

- policy reflecting the addition of the HA as an additional insured under said policy (minimum of \$1,000,000 each occurrence, general aggregate minimum limit of \$5,000,000, together with damage to premises and fire damage of \$50,000 and medical expenses any one person of \$5,000), with a deductible of not greater than \$1,000;
- b. An original certificate showing the proposer's professional liability and/or "errors and omissions" coverage (minimum of \$1,000,000 each occurrence, general aggregate minimum limit of \$5,000,000), with a deductible of not greater than \$1,000;
 - c. An original certificate showing the proposer's automobile insurance coverage in a combined single limit of \$1,000,000. For every vehicle utilized during the term of this program, when not owned by the entity, each vehicle must have evidence of automobile insurance coverage with limits of no less than \$50,000/\$100,000 and medical pay of \$5,000.
 - d. If applicable, an original certificate evidencing the proposer's current industrial (worker's compensation) insurance carrier and coverage;
 - e. A copy of the proposer's business license allowing that entity to provide such services within the State of Maine;
 - f. If applicable, a copy of the proposer's license issued by the State of Maine licensing authority allowing the proposer to provide the services detailed herein.

All work performed pursuant to this RFP must conform and comply with all applicable local, state and federal codes, statutes, laws and regulations.