REQUEST FOR PROPOSALS

The Englewood Housing Authority, located in Englewood, New Jersey, 07631 (hereby called the Authority) will accept proposals for the following services “Special RAD Counsel”, Proposals due on or before **August 11, 2015 at 10:00AM**. It is the Authority’s desire to retain a duly qualified, competent and capable law firm specializing in the necessary disciplines to convert public housing under HUD’s Rental Assistance Demonstration Program (RAD).

All services must be in accordance with the existing laws, rules, orders, directives and regulations governing these services.

Interested parties should contact the Housing Authority in order to receive a copy of the formal Request for Proposal. The RFP specifies the scope of the services and the requirements for submitting proposals.

Proposals are due in an original and two copies submitted to the office of the Englewood Housing Authority, 111 West Street, Englewood, New Jersey, 07631  
Attention: Maria Iwano, Executive Director. **NO LATE PROPOSALS WILL BE ACCEPTED.** All proposals must be enclosed in a properly sealed envelope bearing on the outside the name of the bidder and the words: "RFP – Special RAD Counsel".

The Housing Authority reserves the right to reject any and all proposals received for these services. It also reserves the right to terminate the consultant, for convenience, at any time during the term of the contract.

This solicitation is being made in accordance with the New Jersey Local Unit Pay to Play law (NJSA 19:44A 20.4 et seq.) as a “fair and open” process.

Date:

_________________________________
Executive Director
Maria Iwano
Requests for Proposals

Special RAD Counsel

The Englewood Housing Authority, located in Englewood, New Jersey, (hereby referred to as Authority) will accept proposals for Special RAD Counsel specializing legal disciplines necessary to convert public housing under HUD’s Rental Assistance Demonstration Program (RAD). All services must comply with state and local laws and be in accordance with the existing rules, orders, directives, regulations and ensure full compliance with the law.

I. Scope of Services

The services that are requested will be as follows:

1) Review Cooperative Agreement(s) to determine if it can be carried forward for the RAD conversion project. If yes, prepare the necessary legal opinion to support this determination in the form as required by the lender and investor.

2) Work with the municipality to develop a Long Term Tax Abatement Agreement as may be required.

3) Coordinate all activities between the Authority and the municipality in obtaining all necessary approvals to obtain a Long Term Tax Exemption, including, but not limited to attendance at meetings with Staff, Board of Commissioners and City Officials as necessary.

4) Represent the Authority before all boards and entities necessary to obtain the Long Term Tax Exemption.

5) Establish special purpose entities necessary to process the LIHTC program including a 501c3 non-profit corporation (LP), a for-profit subsidiary (LLC) and/or any other entities necessary to take advantage of the Low Income Housing Tax Credit Program (LIHTC).

6) Review the Low Income Tax Credit application, related documents and appear before the New Jersey Housing & Mortgage Finance Agency (HMFA) as needed to obtain approval.

7) Review the management agreement and make recommendations as necessary.

8) Review all financing documents for both debt and equity transactions.

9) Prepare necessary documents and obtain approval necessary to issue debt, including appearing before all required regulatory agencies.

10) Issue all necessary legal opinions to process the LIHTC application and funding.

11) Review and make recommendations on the partnership agreement and related documents with the equity investor.

12) Prepare and process all documents and approvals for RAD closing as listed on the RAD closing checklist.

13) Other services as requested by the Authority.
II. Qualifications

1) Must possess all applicable licenses and certifications necessary to undertake this work.
2) Must have experience in Municipal Land Use Law, Low Income Tax Credit Program and the Local Redevelopment and Housing Law and New Jersey Housing & Mortgage Finance Agency.
3) Must be approved or approvable by the United States Department of Housing and Urban Development to provide these services, if, and as may be required.
4) Should have previous experience providing these services on a similar scale.

III. Proposal Submission

The following items should be included in the proposal:
1) Proposal Submission Sheet;
2) Listing of similar projects that the firm has previously completed and/or is currently working on, including the status thereof
3) Listing of references;
4) Copies of applicable licenses and certifications;
5) Valid New Jersey Business Registration Form.
6) Certification that neither the firm nor any of the principals have been suspended or debarred from participation in HUD Programs.
7) Non-Collusive Affidavit.
8) Affirmative Action Compliance Notice.
9) Statement of Ownership form.

Proposals are due in an original and two copies submitted to the office of the Englewood Housing Authority, 111 West Street, Englewood, New Jersey, 07631, Attention: Maria Iwano, Executive Director, on or before 10:00AM on August 11, 2015. NO LATE PROPOSALS WILL BE ACCEPTED. All proposals must be enclosed in a properly sealed envelope bearing on the outside the name of the bidder and the words: "RFP – Tax Credit Consulting Services”.

The Authority will evaluate all proposals according to its "Competitive Proposal Evaluation System." All proposals for Special RAD Counsel should be submitted on the required proposal submission sheet. This sheet should be the first page of your proposal.

This solicitation for proposals is being made in accordance with the New Jersey Local Unit Pay to Play law (NJSA 19:44A 20.4 et seq.) as a “fair and open” process. All proposals will be publicly opened on the date and time specified in the RFP.
The Housing Authority reserves the right to reject any and all proposals and to waive any informalities. No proposal may be withdrawn for a period of sixty (60) days without written consent of the Authority. It also reserves the right to terminate the Consultant, for convenience, at any time during the term of the contract.

___________________________
Executive Director
Maria Iwano

Date: ___________
COMPETITIVE PROPOSAL EVALUATION SYSTEM

Professional Services

Type of Services: Special RAD Counsel

Name/Address of Respondent:

1) Demonstrated Experience and Competence in this Type of Work. (25 Points)

2) Familiarity with Program Rules
   - HUD RAD Rules & Regulations (10 Points)
   - HMFA Rules & Regulations (10 Points)

3) Capability and Capacity to Accomplish Work within the Required Time Period. (15 Points)

4) Specialized Experience of Key Personnel in Housing Authority Programs. (15 Points)

6) Firm’s Equal Opportunity Policy. (5 Points)
   Each bidder must ensure that all employees and applicants for employment are not discriminated against because of race, color, religion, sex or national original.

7) Price (20 Points)

Total Point Score:

Narrative Review of Proposal: 

________________________________________________________

________________________________________________________

________________________________________________________

________________________________________________________

________________________________________________________
Englewood Housing Authority
111 West Street
Englewood, New Jersey 07631
(201) 871-3451

SPECIAL RAD COUNSEL

PROPOSAL SUBMISSION SHEET

1) Name/Address of Firm:

2) Telephone Number:

3) Contact Person:

4) Amount of Fee (attach separate sheet, if necessary):
   a. Not to exceed maximum fee:_______________
   b. Hourly rate for other services: _______________

5) Amount of Any Expected Reimbursables:

6) Other:

NOTE: Not to exceed price should encompass all work listed in this RFP and related legal work to bring the RAD conversion to fruition.
CERTIFICATION

Suspension & Debarment Form

Date: ________________________________

Name of Firm: ________________________________

Address: ________________________________

Telephone #: ________________________________

I, ________________________________ (name), duly appointed ___________ (position) of
the ________________________________ (name of firm) do hereby certify that I, nor any
of principals of our firm are suspended or debarred from doing business with the U.S.
Department of Housing & Urban Development.

Subscribed and sworn before me

this ________ day of ____________, 20__.  

(Notary Public)  ________________________________

Print Name & Title of Affiant

My Commission expires:

(Corporate Seal)
FORM OF NON-COLLUSIVE AFFIDAVIT

AFFIDAVIT

State of _________________
County of _________________

I, _________________________ residing in _________________________
(Name of Affiant) (Name of Municipality)

in the County of _________________ and State of _________________ of full age,

being first duly sworn, according to law on my oath depose and say that:

he is _________________________ of the firm of _________________________
(Title of Position) (Name of Firm)

the party making the foregoing proposal or bid entitled Special RAD Counsel, and that I
executed the said proposal or bid is genuine and not collusive or sham, that said bidder
has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder
or person, to put in a sham bid or to refrain from bidding, and has not in any manner,
directly or indirectly, sought by agreement or collusion, or communication or
conference with any person, to fix the bid price of affiant or of any bidder, or to fix any
overhead, profit or cost element of said bid price, or of that of any other bidder, or to
secure any advantage against the _________________________ HOUSING AUTHORITY or any
person interested in the proposed contract, and that all statements in said proposal or
bid are true.

Signature of

Bidder, if the bidder is an individual;

Partner, if the bidder is in a partnership;

Officer, if the bidder is a corporation.

Subscribed and sworn to before me:

This _______ day of _________________ 20_______.

Notary Public of _________________________

My commission expires _________________ 20_______.

SEAL
STOCKHOLDER DISCLOSURE

STATE OF NEW JERSEY CHAPTER 33 PL 1977

Chapter 33 of the Public Laws of 1977 (N.J.S.A. 52:25-24-2) provides that no corporation or partnership shall be awarded any state, county, municipal or school district contract for the performance of any work or the furnishing of any materials or supplies, unless, prior to the receipt of the bid or accompanying the bid of said corporation or partnership, there is a submitted statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein. Form of Statement shall be completed and attached to the proposal.

NAME OF BUSINESS: ____________________________________________

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that owning corporation. If no one owns 10% or more stock, attest to that.

Check the type of business that represents your organization:

Partnership  Corporation  Sole Proprietorship
Limited Partnership  Limited Liability Corporation  Limited Liability Partnership
Subchapter S Corporation

The above firm states that the following is a complete listing of stockholders/individual partners who will own ten percent (10% or more interest in the above named firm. Please sign and notarize the form below.

Name: ________________________________  Name: ________________________________
Home Address: __________________________  Home Address: __________________________

Name: ________________________________  Name: ________________________________
Home Address: __________________________  Home Address: __________________________

Subscribed and sworn before me this _______ day of _______, 20__.

(Notary Public) __________________________  Print Name & Title of Affiant __________________________

My Commission expires: (Corporate Seal)
AFFIRMATIVE ACTION COMPLIANCE NOTICE

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder’s requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);
   OR
(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;
   OR
(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: ________________________________

SIGNATURE: ________________________________

PRINT NAME: ________________________________

TITLE: ________________________________

DATE: ________________________________