

REQUEST FOR PROPOSALS

LEGAL SERVICES

Proposals Due by: Thursday, August 26th, 2021 at 10:00 AM

Hackensack Housing Authority
65 First Street
Hackensack, New Jersey 07601
201 342-4280

REQUEST FOR PROPOSAL

The Housing Authority of the City of Hackensack, New Jersey will accept proposals for "Legal Services" for a 12 month period. It is the Housing Authority's desire to retain and employ a duly qualified Attorney to act as General Counsel 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 the existing rules, orders, directives and regulations promulgated by the United States Department of Housing and Urban Development, provided that such compliance is in the best interest of the Authority and is required by law.

1. SCOPE OF LEGAL SERVICES

The scope of legal services being requested will be as follows and will pertain to all of the Housing Authority's programs (including, but not limited to: Section 8 PBA, Community Development and other programs):

- (a) Attend meetings of the Authority when requested.
- (b) Supervise drafting of all resolutions of the Authority.
- (c) Supervise, as to legality, the official minutes of the Authority's meetings.
- (d) Confer with, and advise the officers and employees on Authority related legal matters, when required.
- (e) Consult with parties having business with the Authority, on such business, when requested to do so by the Authority.

- (f) Prepare contracts, legal instruments, legal documents, and other legal writings as may be required in the interest of the Authority.
- (g) Review and approve the legality of Contracts, legal instruments, legal documents and other written legal materials prepared by others and submitted to the Authority for action (including verification of all performance bonds).
- (h) Handle in an appropriate manner, all legal questions and matters arising out of or under legal contracts, legal instruments, legal documents, and other legal materials with or concerning the Authority.
- (i) Render legal opinions on all matters submitted by the Authority.
- (j) Perform all required legal work in connection with the financing of the Authority's programs, projects, or activities, excepting that legal work which may be required of a bond counsel.
- (k) Provide legal advice, assistance, and counsel in all actions arising at the Housing Authority.
- (l) Institute and bring to successful conclusion in Courts of original jurisdiction all actions for the recovery of possession of dwelling units or for the collection of rents and related charges.
- (m) Institute and bring to successful conclusion in Courts of

original jurisdiction all actions for recovery of possession of dwelling units for all criminal and drug related offenses in accordance with the federal "One-Strike" rules and regulations.

- (m) Appear for and represent the Authority in all litigation matters, accept extraordinary matters as hereafter provided;
- (n) Give notice to, and consult with, the Authority's insurance carriers in all cases of injury to person or loss or damage to property involving the Authority.
- (o) Coordinate all legal actions brought against the Authority, its officers and employees in conjunction with Authority business (including HUD approval of litigation).
- (p) Update all Housing Authority policies in accordance with applicable rules, orders, laws and suggestion of the Housing Authority.
- (q) Shall be responsible for advising the Housing Authority on all matters pertaining to the Open Public Meetings Act.
- (r) Shall be responsible for advising the Housing Authority on all matters concerning the New Jersey Local Public Contracts Law.

All costs associated with the items contained in the "Scope of Services" will be covered by the basic retainer. Any item that is not contained in the basic retainer will require approval by the Board of Commissioners by motion or resolution, prior to being paid.

QUALIFICATIONS

- 1) Must be licensed to practice law in the State of New Jersey.
- 2) Should have experience representing other Housing Authorities and an understanding of HUD funded programs and related federal regulations.
- 3) Should be fully versed in New Jersey Local Public Contract Law, New Jersey Open Public Meeting Act and State/Local Housing Authority Law.
- 4) Must be approvable by the United States Department of Housing and Urban Development.

PROPOSAL SUBMISSION

All qualified candidates interested in submitting a proposal for "Legal Services" should submit a written proposal based upon a lump-sum retainer. Payments for the basic retainer will be paid monthly. All fees must be reasonable and contain an itemization of any requested reimbursables. The proposal should contain an hourly rate for all services that would be considered extraordinary in scope and outside the basic retainer. Extraordinary services must be pre-approved by the resolution of the Board of Commissioners. The basic retainer will cover all items contained in the "Scope of Services" (see "Scope of Legal Services"). A copy of the candidates resume should be attached to the proposal listing all previous experience and qualifications. All proposals should be sealed (envelope marked: "Proposal for Legal Services") and delivered to the Housing Authority of the

City of Hackensack, 65 First Street, Hackensack, New Jersey on or before Thursday, August 26th, 2021 by 10:00 A.M.

A copy of the RFP, rating system and standard form of legal services contract are available at the office of the Housing Authority. The following items must be submitted with the proposal:

- 1) Proposal Submission Sheet;
- 2) Listing of similar projects that the firm has previously completed;
- 3) Listing of references;
- 4) Evidence that the firm is licensed in the State of New Jersey;
- 5) An insurance certificate indicating that the firm has professional liability insurance.
- 6) Valid New Jersey Business Registration Form
- 7) Non-Collusive Affidavit
- 6) Certification that the neither the firm nor any of the principals have been suspended or debarred from participation in HUD Programs.

PROPOSAL REVIEW

All proposals will be reviewed according to the "Competitive Proposal" process outlined in the HUD Procurement Handbook 7460.8 and HUD Notice PIH 90-47. The Authority utilizes a proposal

rating system that will be used to evaluate all proposals received in response to this R.F.P. This Request for Bids is being made as a "fair and open" solicitation in accordance with the New Jersey "Pay to Play" requirements.

ANTHONY FEORENZO

Executive Director

COMPETITIVE PROPOSAL EVALUATION SYSTEM

Prepared by:

Type of Service: Legal Services

Name/Address of Respondent:

- 1) Demonstrated experience and competence in this type of work (20 Points).
- 2) Familiarity with the Hackensack Housing Authority's Programs in specific and HUD rules and regulations in general (30 Points).
- 3) Capability and capacity to accomplish work within the required time period (30 Points).
- 4) Geographic location of the firm relative to the proximity to the Housing Authority (10 Points).
- 5) Specialized experience of key personnel in Housing Authority Programs (20 Points).
- 6) Firm's Equal Opportunity Policy. Each bidder must ensure that all employees and applicants for employment are not discriminated against because of race, color, religion, sex or national original (10 Points).
- 7) Price (10 Points)

Total Point Score:

Narrative Review of Proposal:

PROPOSAL FOR LEGAL SERVICES

**Hackensack Housing Authority
65 First Street
Hackensack, New Jersey 07601
(201 342-4280)**

Firm Name:

Address:

Telephone #

Contact Person:

10/1/2021-9/30/2022

Annual Retainer (Paid monthly): \$

Hourly Rate: \$

Legal Advertisement

REQUEST FOR PROPOSALS

The Housing Authority of the City of Hackensack, New Jersey will accept proposals for the following services:

“Ordinary Legal Services”

It is the Housing Authority's desire to retain duly qualified, competent and capable attorney. All services must be in accordance with the existing laws, rules, orders, directives and regulations governing these services and supplies.

All persons interested in submitting a proposal for legal services should contact the Housing Authority of the City of Hackensack in order to receive a copy of the formal Request for Proposals. The RFP specifies the scope of the services and the requirements for submitting proposals.

All proposals must be submitted the office of the Housing Authority of the City of Hackensack, 65 First Street, Hackensack, New Jersey on or before Thursday, August 26th, 2021 by 10:00 AM.

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

This solicitation is being undertaken in accordance with NJSA 1944.4 et seq. as a “fair and open” competitive process and in compliance with the rules and restrictions set forth by the State’s Local Pay to Play law

ANTHONY FEORENZO
Executive Director

LEGAL SERVICES AGREEMENT

This AGREEMENT made this 1st day of October 2020 by and between the Housing Authority of the City of Hackensack a public corporation with its offices at 65 First Street, Hackensack, New Jersey hereinafter referred to as the "Authority," and Joseph Zisa, Esq. of Hackensack, New Jersey, having principal offices at 77 Hudson Street, Hackensack, New Jersey, hereinafter referred to as the "Attorney."

WITNESSETH:

That the Authority does hereby retain the attorney for the performance of certain legal services, all as hereinafter set forth, at the consideration hereinafter recited, and the attorney does hereby accept such retention and agrees to render all legal services necessary or proper for the protection of the interests and property of the Authority as hereinafter set forth.

1. SCOPE OF LEGAL SERVICES

The scope of legal services being requested will be as follows and will pertain to all of the Housing Authority's programs (including, but not limited to: Section 8 PBA, Community Development and other programs):

- (a) Attend meetings of the Authority when requested.
- (b) Supervise drafting of all resolutions of the Authority.
- (c) Supervise, as to legality, the official minutes of the Authority's meetings.

- (d) Confer with, and advise the officers and employees on Authority related legal matters, when required.
- (e) Consult with parties having business with the Authority, on such business, when requested to do so by the Authority.
- (f) Prepare contracts, legal instruments, legal documents, and other legal writings as may be required in the interest of the Authority.
- (g) Review and approve the legality of Contracts, legal instruments, legal documents and other written legal materials prepared by others and submitted to the Authority for action (including verification of all performance bonds)
- (h) Handle in an appropriate manner, all legal questions and matters arising out of or under legal contracts, legal instruments, legal documents, and other legal materials with or concerning the Authority.
- (i) Render legal opinions on all matters submitted by the Authority.
- (j) Perform all required legal work in connection with the financing of the Authority's programs, projects, or activities, excepting that legal work which may be required of a bond counsel.
- (k) Provide legal advice, assistance, and counsel in all actions arising at the Housing Authority.
- (l) Institute and bring to successful conclusion in Courts of

original jurisdiction all actions for the recovery of possession of dwelling units or for the collection of rents and related charges.

- (m) Institute and bring to successful conclusion in Courts of original jurisdiction all actions for recovery of possession of dwelling units for all criminal and drug related offenses in accordance with the federal "One-Strike" rules and regulations.
- (m) Appear for and represent the Authority in all litigation matters, accept extraordinary matters as hereafter provided;
- (n) Give notice to, and consult with, the Authority's insurance carriers in all cases of injury to person or loss or damage to property involving the Authority.
- (o) Coordinate all legal actions brought against the Authority, its officers and employees in conjunction with Authority business (including HUD approval of litigation).
- (p) Update all Housing Authority policies in accordance with applicable rules, orders, laws and suggestion of the Housing Authority.
- (q) Shall be responsible for advising the Housing Authority on all matters pertaining to the Open Public Meetings Act.
- (r) Shall be responsible for advising the Housing Authority on all matters concerning the New Jersey Local Public Contracts Law.

All costs associated with the items contained in the "Scope of Services" will be covered by the basic retainer. Any item that is not contained in the basic retainer will require approval by the Board of Commissioners by motion or resolution, prior to being paid.

TIME OF PERFORMANCE

The services of the attorney are to commence upon October 1st, 2020 and shall be undertaken and completed at the end of the Authority fiscal year 9/30/2021 (12 months). The Board of Commissioners may extend the term of this contract in accordance with the requirements of the New Jersey Local Public Contracts Law and approval by the Board.

COMPENSATION

Compensation to the attorney for satisfactory performance of his services hereunder shall be in the amount of thirty five thousand Dollars (\$35,000.00) for 12 months. Additional compensation shall be paid at the rate of \$140.00 per hour and with the approval of the Authority. Compensation shall be made on a monthly basis.

REIMBURSEMENT

The Authority shall reimburse the attorney for out of pocket expenses incurred by the attorney, with the approval of the Authority in connection with filing and recording fees, court costs, witness fees and overnight mailing.

TERMINATION

This contract shall be subject to termination by either party. Both parties must receive 30 days written be notice of the intent to terminate.

IN WITNESS WHEREOF the parties hereto have caused this contract to be executed the day and year first above written.

HOUSING AUTHORIY OF THE CITY OF HACKENSACK

Witness:

By:

ATTORNEY

Witness:

By:

ANTHONY FEORENZO
Executive Director

NON-COLLUSION AFFIDAVIT

State of New Jersey
County of _____

ss:

I, _____ residing in _____
(name of affiant)

(name of municipality)
in the County of _____ and State of _____ of full age,
being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____
(title or position) (name of firm)

_____ the bidder making this Proposal for the bid

entitled _____, and that I executed the said proposal with
(title of bid proposal)

full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the _____

_____relies upon the truth of the statements contained in said Proposal
(name of contracting unit)

and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____.

Subscribed and sworn to

before me this day

Signature

_____, 2____

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____

(Seal)