

FREEPORT HOUSING AUTHORITY

REQUEST FOR PROPOSALS

LABOR COUNSEL LEGAL SERVICES

NOTICE IS HEREBY GIVEN, that the Freeport Housing Authority (“the FHA”) seeks proposals from qualified firms or individuals to perform Labor Counsel Legal Services

The RFP documents can be obtained by visiting our offices during regular business hours at 240 So. Main Street, Freeport, NY 11520. The RFP is also available on the FHA website www.FreeportHousingNY.org.

The deadline for submitting a proposal is April 16, 2020 at 3:00PM

The Freeport Housing Authority is an Equal Opportunity Employer.

By Order of the Board of Commissioners
Freeport Housing Authority
March 17, 2020

FREEPORT HOUSING AUTHORITY
Request for Proposals for Labor Counsel Legal Services (“RFP”)
Issue Date: March 17, 2020

INTRODUCTION

The Freeport Housing Authority (the "Authority") solicits proposals to provide labor counsel legal services for the Authority. The Authority, established and organized under New York state law, provides affordable, safe, high-quality housing at several locations within the Inc. Village of Freeport, NY. Currently, the Authority maintains 350 units of income-based public housing and administers 211 vouchers under the Housing Choice Voucher Program.

The Authority is governed by a seven-member Board of Commissioners, which sets policy for the Authority and which awards all contracts of the Authority.

The Authority may contract only with firms that do not discriminate in employment based upon race, creed, color, national origin, sex, age, disability, marital status, sexual orientation or citizenship status.

PROPOSAL PROCEDURE

A. Anticipated schedule:

Request for Proposals (“RFP”) issued – Thursday, March 17, 2020

Proposal due date – **Thursday, April 16, 2020, 3:00PM (EST)**

B. Preparation of proposal; number of copies required:

Each proposal should be prepared simply and economically, and should avoid the use of elaborate promotional materials beyond those sufficient to provide a complete, accurate, and reliable presentation. For ease of review, a proposal should **follow the outline set forth in this RFP entitled Mandatory Proposal Response Requirements. Each response should be clearly numbered and the full question listed. Eight (8) copies of the proposal should be submitted.**

C. Inquiries regarding RFP; delivery:

Questions and inquiries regarding this RFP and its submission should be directed by fax or email only to:

John Hrvatin, Executive Director
Freeport Housing Authority
240 South Main Street, Freeport, NY 11520
Fax number: (516) 544-2141
Email: jhrvatin@freeporthousingny.org

All proposals shall be delivered (personally or by mail or courier) in a single sealed envelope to the above office on or before Thursday, **April 16, 2020**, not later than 3:00 pm. Proposals received after this date and time will not be considered. Electronic submissions will not be considered. The Authority is under no obligation to return proposals.

No contact with any Authority officers or employees, other than as set forth above, is permitted, until such time as an award has been made. Failure to adhere to this requirement may constitute grounds for disqualification.

D. Interview:

A proposer may be asked to attend an interview with the Board of Commissioners. Any such proposer will be notified to arrange a suitable date and time for such interview.

E. Effective period:

All proposals must state the length of time (the "Offer Period") for which the proposal shall remain in effect (i.e., how much time the Authority has to accept or reject the proposal under the terms proposed). In any event, the Offer Period shall be no fewer than 120 days from the proposal date.

F. Method of selection:

The Authority will commence evaluation of proposals received on a timely basis. The evaluation of proposals will commence after **April 16, 2020**. The Authority reserves the right to hold all proposals for a period of up to 120 days beyond said date, before making any determination.

In order to determine the best proposal for the Authority's needs and requirements, each proposal will be ranked, rated and evaluated by a committee determined by the Board of Commissioners, based upon the following factors, and submitted to the Board of Commissioners for its consideration:

1. **Completeness and conciseness** of proposal, and clarity of presentation
2. **Current and prior experience** in providing and performing services of the nature contemplated by this RFP
3. **Overall expertise and background** in providing and performing services of the nature contemplated by this RFP
4. **Cost of services**
5. **Reputation of firm/attorneys**
6. Any other information that would assist in the evaluation and selection process

G. Authority's right of rejection:

Notwithstanding any other provisions of this RFP, the Authority expressly reserves the right to award a contract to the proposer that best meets the requirements of the RFP and the needs of the Authority, and not necessarily to the "lowest bidder". Further, the Authority reserves the right, for any reason or no reason and in its sole and absolute discretion to (i) amend, in whole or in part, withdraw, or cancel this RFP and (ii) accept or reject any or all proposals prior to an award and/or execution of a contract for any reason or no reason, and with no penalty to the Authority.

H. Award of contract:

The Authority shall notify the firm selected by means of a Notice of Award. Neither the selection of a firm nor the issuance of a Notice of Award shall constitute the Authority's acceptance of a proposal nor a binding commitment on behalf of the Authority to enter into a contract with any firm, as any legally binding agreement shall be set forth in a contract executed by the parties.

I. Contract negotiations:

The Authority reserves the right to negotiate the terms and conditions of any contract hereunder with the selected proposer, if any. Such negotiations may include all aspects of services and fees. Neither the selection of a proposer nor the negotiation of a contract with any such proposer shall constitute the Authority's acceptance of the proposal or a binding commitment on behalf of the Authority to enter into a contract with any such firm.

J. Contract term:

It is the intent of the Authority to **award a contract for a period of one-year**, with an **option solely on the part of the Authority to extend such contract for one additional year**, upon the same terms and conditions. Services will **be compensated on an hourly basis**, except that the Authority reserves the right to establish cost control measures, such as a “fee ceiling” per assignment. Disbursements for court costs, filing fees, stenographers, or any other expenses will be reimbursed **separately** from professional fees.

REQUIREMENTS - PURPOSE & SCOPE OF PROPOSAL

A. Criteria

A firm may be selected among responding firms based upon an analysis of the firm's ability to provide the Authority with the highest quality services at the most cost-effective fees.

Proposals should **highlight experience in all of the following areas**:

- 1) Experience in **representation of a public housing authority**, established and organized under the laws of New York State.
- 2) Experience in **municipal law and representation of public boards**.
- 3) Experience in **public sector labor-management relations, including collective bargaining and grievance administration**.
- 4) Experience in **Employment Benefits; Employment Law Litigation, Labor Law and Civil Service Law**.

B. Mandatory submission requirements

- 1) **Narrative response, including a summary in which the firm provides a description of the key points of its proposal.**
- 2) **Background information** on the firm, including but not limited to:
 - a) **Firm overview, with resumes’** of attorneys who will work on Authority matters;
 - b) **Names, addresses and titles of all persons having a financial interest** in the firm;

c) **Composition of the firm**, indicating the total number employees and a breakdown of the firm's employees by race and gender;

d) **Summary of relevant accomplishments**, including a list of relevant professional experience;

e) **List of applicable work experience** within the Inc. Village of Freeport and surrounding communities, as well as elsewhere.

f) Responses to the **following questions: Reprint and respond to each**

(i) Has your firm ever been cited by any authority for unethical or unlawful practices?

(ii) Identify all adverse determinations against your firm, or its employees or persons acting on its behalf, with respect to actions, proceedings, claims or complaints concerning violations of federal, state or local equal opportunity laws or regulations.

(iii) Has your firm, or any of its employees, or anyone acting on its behalf, been indicted or otherwise charged in connection with any criminal matter arising directly or indirectly from the conduct of your firm's business which is still pending, or have any of your firm's officers, directors or persons exercising substantial policy discretion been indicted or otherwise charged in connection with any criminal matter involving business or financial misconduct or fraud, which matter is still pending? If so, please describe any such indictments or charges and the circumstances in detail.

(iv) Describe any action, suit, proceeding or investigation pending or threatened against your firm including, without limitation, any proceeding known to be contemplated by government authorities or private parties.

g) The proposal must be signed by an individual in the firm having the authority to submit a proposal hereunder and bind the firm accordingly (**cover letter referencing the proposal shall be sufficient for this purpose**).

3) **Fees/costs**

4) **Additional information**

Additional information you believe pertinent to the Authority's interests and requirements.

5) **Conflicts of interest**

(a) Please disclose:

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest for the firm in providing services to the Authority.

(ii) Any family relationship that any employee of your firm has with any Authority employee that may create a conflict of interest or the appearance of a conflict of interest for the firm in providing services to the Authority.

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest for the firm in providing services to the Authority.

(b) Please describe any procedures your firm has, or would adopt, to assure the Authority that any such conflict of interest would not exist for your firm in the future.

Describe procedure you would use

6) Each proposer must **complete and submit the Non-Collusive Proposal Certification** set forth in "Exhibit A" attached hereto and made a part hereof.

7) **Proposer consents** to the inclusion in a contract hereunder any and all language required by federal HUD to be included in such contract.

C. Additional information regarding this RFP

- 1) All materials submitted in response to this RFP will become the property of the Authority.
- 2) The Agency reserves the right to conduct discussions with one or more proposers. No proposer shall have any rights against the Authority as a result of any such discussions.
- 3) The Authority reserves the right to negotiate separately with any proposer.
- 4) The Authority reserves the right to waive any informality in any proposal received or in connection with any other aspect of this procurement.
- 5) Each proposal prepared in response to this RFP is at the sole discretion, cost and expense of the proposer, with the express understanding that there will be no claim whatsoever for reimbursement from the Authority for any costs associated with it.
- 6) Submission of a proposal in response to this RFP shall constitute an offer on the part of the successful proposer to execute a contract substantially as described herein.
- 7) Public announcements, if any, regarding this RFP shall be made solely by the Authority.
- 8) The Authority and its officers, commissioners, agents and employees make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this RFP. Further, the Authority employees make no representation or warranty and assumes no responsibility for the downloading of this RFP from the website of the Authority, including but not limited to text, graphics, links or any other elements of this RFP and hereby disclaims any liability for technical errors or difficulties of any nature that may arise in connection with this RFP.

EXHIBIT A – NON-COLLUSIVE PROPOSAL CERTIFICATION

By submission of this request for proposal, each proposing party and each person signing on behalf of any proposing party certifies, and, in the case of a joint proposal, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his/her knowledge and belief:

A. The fees/costs/prices in this proposal have been arrived at independently and without collusion;

B. Unless otherwise required by law, the fees/costs/prices which have been quoted in this proposal have not been knowingly disclosed by the proposing party and will not knowingly be disclosed by the proposing party prior to opening of the sealed proposals, directly or indirectly, to any other proposing party or to any competitor;

C. No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not submit a proposal for the purpose of restricting competition;

D. That all requirements of law, including mandatory provisions as to this non-collusive proposal certification, have been complied with by the proposer.

Printed Name

Signature

Title

Date