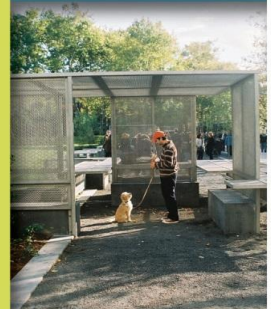
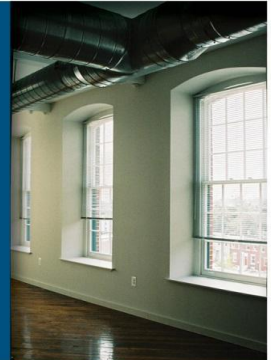




Philadelphia
Redevelopment
Authority



Request for Proposals (RFP)

MULTI-FAMILY RENTAL AND HOMEOWNERSHIP DEVELOPMENT LEGAL SERVICES

January 29, 2019

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Attachments:

- a. Philadelphia Tax Status Certification and Conflict of Interest Form
- b. Campaign Disclosure Forms



Application Process

The Philadelphia Redevelopment Authority ("PRA") Legal Department is responsible for providing legal representation to the directors, officers and employees of the PRA concerning all matters arising in connection with the exercise of their official powers. The PRA is committed to the highest ethical and professional standards and takes pride in its reputation with its clients, the bench and bar, and the public. The PRA invites competitive proposals from qualified attorneys (each, an "Applicant," and together, the "Applicants") to provide legal services ("Project") as outlined in the Scope of Work.

Submission Deadline

Applicants must submit a response/proposal (each, a "Response," and together, "Responses") no later than **March 1, 2019 at 3:00 PM**; absolutely no Response will be accepted after that time.

Questions/Requests for Additional Information

PRA will accept questions and requests for additional information directed in writing to RFP@pra.phila.gov through **February 7, 2019 at 3:00 PM**. Questions, responses, and additional information will be posted on the PRA website within 3 business days after that date.

Related Parties

Applicants may submit only one Response to this RFP. Individuals or businesses that are legally related to each other or to a common entity may not submit separate Responses. The PRA, in its sole and absolute discretion, retains the right to reject any Response where:

1. Applicants or principals of Applicants are substantially similar or substantially related parties; or;
2. The PRA has determined that the Applicant has violated these conditions or the spirit of these conditions.

Submission Process

Responses will only be accepted in either of the following:

1. Online Submission – via the electronic portal on PRA's website (<https://philadelphiaredevelopmentauthority.org>); or
2. Hard Copy Submission – Submit 3 original copies of the Response and one electronic copy on a USB Flash Drive to the PRA via hand delivery or registered mail. Files on the USB Flash Drive may only be in Microsoft Word or Adobe PDF. Applicants may hand deliver or send their Response via registered mail to:

Ryan D. Harmon, Esq.
General Counsel
Philadelphia Redevelopment Authority
1234 Market Street, 16th Floor
Philadelphia, PA 19107



Disqualification

Responses will be disqualified if:

1. They are submitted after the specified deadline;
2. They are submitted by some means other than the two formats listed above. For electronic Responses, the PRA website portal is the only means that will be accepted. Responses sent via email, Dropbox or other electronic venues will be disqualified;
3. If the Response package is incomplete.

Bid Price

The PRA will award this Project to the Response(s) determined to be the most responsive. Bid price is one of these criteria, though the Project will not necessarily be awarded to the lowest bidder.

Schedule

The timeline for this opportunity is as follows:

Event	Date
RFP posted	January 29, 2019
Questions and requests for additional information due	February 7, 2019
Responses due	March 1, 2019, at 3:00 PM
Applicant selected (Estimate)	March 7, 2019
Contract executed	March 14, 2019

PRA reserves the right, in its sole discretion, to alter this schedule as it deems necessary or appropriate.

Project Description/Scope of Work

Applicant must have a minimum of ten (10) years' experience in the negotiation of terms and conditions, preparation of loan documentation, and conducting closings for construction/permanent loans for low/moderate income homeownership and multi-family rental projects. Applicant will be required to execute a Legal Services Agreement ("Agreement") with the PRA, which will be for a term of one year with three (3) successive one year renewal terms, to be exercised at the sole discretion of the PRA.

Applicants proposing to work on these matters must be licensed and admitted to the bar in Pennsylvania and have demonstrated expertise and experience in these legal practice areas. Applications of individual attorneys only will be considered; law firms will not be considered.

Submission Requirements

1. **Knowledge:** Applicant must have familiarity with the regulations, practices and policies of HUD's Community Development Block Grant, HOME Investment Partnership, Neighborhood Stabilization Program, Supportive Housing, Housing Opportunities for Persons with AIDS and Capital Advance Programs, the low-income housing tax credit program and the City of Philadelphia's (the "City") Housing Trust Fund Program.



2. **Experience:** Please provide your resume including information and background on those factors enumerated as selection criteria
3. **Compensation:** Applicants must submit a fee proposal expressed as an hourly billing rate, including any related matters affecting total compensation.
4. **References:** Applicants must provide at least two (2) references for which Applicants completed services similar to that being asked for in this RFP. References from government clients and engagements with similar scopes of work are preferred.
5. **Declarations and Other Information.** Response must also include the completed forms identified in the Declarations and Other Information below.

Evaluation & Selection

PRA intends to award this Project to the Applicant(s) that best demonstrate(s) the level of experience, skill and competence required to perform the services called for in this RFP in the most efficient, cost-effective, and professional manner. PRA reserves the right not to award an Agreement as a result of this RFP, or to award Agreements for part of this scope.

PRA will be guided by the following criteria in making a selection for award, and will use its professional judgment in determining which Applicant best serves the interests of the PRA:

- Superior ability or capacity to meet particular requirements of this Agreement opportunity and needs of the PRA.
- Superior prior experience with federal Community Development Block Grant and HOME Investment Partnerships Program requirements, including representation of public agencies and interaction with housing developers.
- Superior prior experience with the federal Neighborhood Stabilization Programs (both NSP I and NSP II), including representation of public agencies and interaction with housing developers.
- Knowledge of Pennsylvania Housing Finance Agency regulations and practices with respect to funding affordable housing projects.
- Knowledge of federal and state prevailing wage laws and regulations as they apply to rental and homeownership programs.
- Knowledge of the Pennsylvania State Adverse Interest Act, Pennsylvania Public Official and Employee Ethics Act, Philadelphia Code and Philadelphia Home Rule Charter pertaining to conflicts of interest.
- Demonstrated relative strength, reputation and successful experience providing services.
- Eligibility under Philadelphia Code provisions relating to campaign contributions.
- Compliance with PRA standards for contracting, such as indemnification and non-discrimination.
- Competence and proven track record working with governments and community development organizations.
- Overall costs.
- Administrative and operational efficiency, requiring less PRA oversight and administration.
- Demonstrated ability to meet timelines and milestones.
- Any other factors the PRA considers relevant to the evaluation of the responses from Applicants.

Events of Disqualification or Default

Subsequent to the selection of an Applicant, and before execution of the Agreement, the PRA may treat any of the following as an event of disqualification or default:



1. Unilateral withdrawal by the selected Applicant;
2. Failure to proceed substantially in accordance with the Response as submitted;
3. Failure by the Applicant for any reason whatsoever to timely execute the Agreement when tendered;
4. Material misrepresentation, omission, or inaccuracy contained in any document submitted either as part of the Response, or subsequent thereto. For the purposes of this section, the PRA places particular importance on the information required by the Applicant's Philadelphia Tax Status Certification and Conflict of Interest Form and the Campaign Contribution Disclosure Forms;
5. Failure to provide in a timely manner the additional material required after selection throughout the PRA selection process.

Upon the happening of an event of disqualification or default by the selected Applicant, PRA shall have the right, at its election, to:

1. Rescind its selection; or
2. Declare null and void the Agreement that may already have been executed.

Declarations and Other Information

Economic Opportunity Plan: If Applicant is a certified Minority Business Enterprise ("MBE"), Women Business Enterprise ("WBE"), or Disadvantaged Business Enterprise ("DSBE") (collectively, "M/W/DSBE"), please submit information to confirm Certification as part of your Response. The PRA strongly encourages and promotes the employment of qualified M/W/DSBE firms in all aspects of its procurement of goods and services.

Tax Clearance and Conflict of Interest Form: Applicants, upon request of the PRA, must provide evidence satisfactory to the PRA that all municipal taxes, including business taxes, real estate, school, water and sewer charges, if applicable, are current for both the individual Applicant and the Applicant's firm and that neither is currently indebted to the City; will at any time during the term of the Agreement be indebted to the City, for or on account of any delinquent taxes, liens, judgments, fees or other debts for which no written agreement or payment plan satisfactory to the City has been established. Please complete the Philadelphia Tax Status Certification and Conflict of Interest form (Attachment A) and submit it with your Response.

Campaign Contribution Disclosure Forms: Please complete the applicable disclosure forms (Attachment B) and submit with your Response.

Insurance Requirements: Please state or provide a certificate of insurance evidencing Applicant's insurance limits for his/her professional liability/malpractice, commercial general liability and workers' compensation/employer's liability insurance policies.

By submitting a Response in response to this RFP, an Applicant affirmatively acknowledges: (i) its acceptance of the terms and conditions of this RFP; (ii) the PRA may exercise in its sole discretion the following rights; and (iii) the PRA may exercise the following rights at any time and without notice to any Applicant:

1. to reject any and all Responses;
2. to supplement, amend, substitute, modify or re-issue the RFP with terms and conditions materially different from those set forth here;
3. to cancel this RFP with or without issuing another RFP;



4. to extend the time period for responding to this RFP;
5. to solicit new Responses;
6. to conduct personal interviews with any Applicant to assess compliance with the selection criteria;
7. to request additional material, clarification, confirmation or modification of any information in any and all Responses;
8. to negotiate any aspect of a Response, including price;
9. to terminate negotiations regarding any and all Responses at any time;
10. to expressly waive any defect or technicality in any Response;
11. to rescind a selection prior to Agreement execution if the PRA determines that the Response does not conform to the specifications of this RFP;
12. to rescind a selection prior to Agreement execution if the PRA determines that the specifications contained in this RFP are not in conformity with law or that the process in selection of an Applicant or Response was not in conformity with law or with the legal obligations of the PRA;
13. in the event an Agreement is awarded, the successful Applicant or Applicants shall procure and maintain during the life of the Agreement liability insurance in an amount to be determined prior to the award of any Agreement;
14. in the event an Agreement is awarded, all Applicants agree to perform their services as an independent contractor and not as an employee or agent of the PRA;
15. in the event an Agreement is awarded, all Applicants agree that no portion of performance of the Agreement shall be subcontracted without the prior written approval of the PRA; and
16. each Applicant agrees to indemnify, protect and hold harmless the PRA from any and all losses, injuries, expenses, demands and claims against the PRA or the City sustained or alleged to have been sustained in connection with or resulting from (i) the submission of the Applicant's Response; (ii) the delivery by the Applicant to the PRA of any other documents or information; and (iii) any other conduct undertaken by the Applicant in furtherance of or in relation to the Applicant's Response. Each Applicant agrees that its duty to indemnify and hold harmless shall not be limited to the terms of any liability insurance, if any, required under this RFP or subsequent contract.

The PRA is under no obligation whatsoever to Applicant as a result of this RFP. The RFP does not represent any commitment on the part of the PRA to Applicant. In no event shall the PRA be responsible for any cost, expense or fee incurred by or on behalf of Applicant in connection with the RFP. Applicant shall be solely responsible for all such costs, expenses and fees.

NOTICE: The PRA is subject to the Pennsylvania Right to Know Law. Any information provided in your Response to this RFP may be subject to disclosure to the public. Documents provided in response to this RFP may also be required to be disclosed by applicable law, subpoena, and/or court order.

