

## REQUEST FOR ROPOSALS LANDLORD AND TENANT LEGAL SERVICES

Issued: September 20, 2017

The Village of Hempstead Housing Authority (VHHA), Hempstead, New York is requesting proposals from qualified organizations to provide LANDLORD AND TENANT LEGAL SERVICES as required for the proper administration of its Public Housing Authority.

### BACKGROUND

VHHA is a public benefit corporation established pursuant to New York State law and administers Federal housing programs for low income families. VHHA receives funding primarily from the United States Department of Housing and Urban Development (HUD) and is entitled to apply for funding to acquire, construct, modernize, maintain, and operate housing developments. The Authority operates 281 units of federally assisted (HUD) assisted senior citizen and family housing at four locations and a 475 voucher federally funded Housing Choice Voucher (Section 8) Program.

VHHA's mission is to provide decent, safe and sanitary housing for low-income persons in its area of operation. VHHA manages Capital Fund Programs in the amount of approximately \$328,000 annually and an Operating Subsidy in the amount of \$660,000.

VHHA is governed by a seven member Board of Commissioners. The Board of Commissioners hires the Executive Director to oversee the day-to-day administration of VHHA.

### PROPERTIES

VHHA has 4 public housing properties all leased to tenants as follows:

1. GENERAL MACARTHUR SENIOR VILLAGE, 260 Clinton Street, Hempstead, NY – is a midrise building with 144 units of housing for senior and disabled residents, which includes 114 studio apartments, 29 1-bedroom units, and 1- 2 bedroom unit.

2. TOTTEN TOWERS, 20 Totten Street, Hempstead, NY – is a midrise building with 75 units of housing for senior and disabled residents, which includes 46 studios and 29-1 bedroom units.
3. CLINTON COURT, 114 Yale Street with 16 units of garden style family housing including 3- 1 bedroom units, 8 – 2 bedroom units and 5 -3 bedroom units. 134 Yale Street with 16 units of garden style family housing including 3-1 bedroom units, 9- 2 bedroom units, 3 – 3 bedroom units and 1 – four bedroom unit.
4. GLADYS GARDENS, 20 Gladys Avenue, Hempstead, NY with 8 units of family garden style housing including 2- 2 bedroom units and 6 – 3 bedroom units. 40 Gladys Avenue, Hempstead, NY with 22 units of family garden style units with 4- 1 bedroom units, 12 – 2 bedroom units, and 6 -3 bedroom units.

## SCOPE OF SERVICE

Act as Special Counsel to VHHA on real property actions and procedures (landlord and tenant counsel). Counsel will provide advice and interpretation of law as it applies to VHHA. Such information may involve federal, state and local statutes and ordinances with regard to all landlord tenant issues, to wit: notices, evictions/summary proceedings, leases, guidelines surrounding tenancies, illegal occupants, tenant grievances, hearings, etc.

Under VHHA's direction, the successful firm will be responsible for real estate litigation including summary proceedings under the Real Property Actions and Procedure Law. The firm will also be responsible for assisting VHHA in evaluating the legal implications of eviction cases and assisting VHHA in protecting its interests.

1. Typical Duties (not exhaustive):
  - Provide general legal advice with regard to tenants and occupants.
  - VHHA sends late notices to tenants. The selected firm would be responsible for drafting and serving all petitions and notices of petitions for non-payment of rent and holdover proceedings for lease violations.
  - Represent the VHHA in litigation regarding landlord tenant issues.
  - Assist the Executive Director in addressing issues impacting VHHA and be prepared to offer legal opinions concerning tenants.
  - Serve as hearing officer as requested.
  - Provide representation on fair housing cases as requested.
  - Work with other assigned VHHA counsel.
  - Provide VHHA with weekly status reports of active cases via email.

- Attend work sessions and meetings with Board and staff when requested.
2. Other:
- Provide prompt response to inquiries by the VHHA.
  - Time spent by administrative staff on copying, faxing, mailing etc should not be billed at the attorney rate, but at an appropriate administrative rate only.
  - Provide billing broken down by assignment or department when required by VHHA.
  - VHHA reserves the right on a specific case basis to use alternate counsel.

## QUALIFICATIONS

1. Substantial knowledge and experience in the interpretation of state laws as they relate to Public Housing and HUD assisted housing.
2. Substantial knowledge and experience in summary proceedings to recover possession.
3. Member of the New York State Bar in good standing. The selected firm will be required to declare that it will represent VHHA to the exclusion of all other clients having potential conflicts with the interests of VHHA

## TERM OF CONTRACT

The contract will be for two years. VHHA reserves the right to cancel the contract for convenience as mandated by federal law.

## FORMAT OF PROPOSAL

Please respond with a letter of interest which must include the following information:

1. A summary of your firm's experience and/or firm resume. This should include the following:
  - The firm's approach to the scope of services
  - The firm's experience with litigating landlord and tenant proceedings, specifically in conjunction with federally assisted housing
  - The firm's experience with Fair Housing and ADA case law

- Discussing any relevant community involvement by the firm; specifically with the low income, homeless or mentally ill community
2. Evidence of your firm's ability to perform the services in a timely manner.
  3. Fee requested for your services:

**ORGANIZATION, SUPPORT AND EXPERIENCE**

The proposer should provide a listing of all personnel and include resumes. The summary should include all subcontractors proposed to be used.

**FEE PROPOSAL**

VHHA intends to award this contract to the firm that it considers will provide the best overall program services. The VHHA reserves the right to accept other than the lowest bid and to reject any proposals that are not responsive to this request.

Include a fee schedule with the hourly billing rates of proposed staff and a maximum price for the completion of the Specific Tasks. For example:

<b>Fee Proposal</b>	
<b>Task</b>	<b>Flat Fee</b>
Preparation of non-payment petition	
Preparation of holdover petition (with notice)	
Filing and service of petition and notice of petition	
Court appearances and in court negotiation of a stipulation of settlement (no matter number of appearances)	
<b>Task</b>	<b>Hourly Rate</b>
Hourly rate for additional court hours for motions, trial preparation, trials, meetings, conferences	Senior Attorney: Associate Attorney: Legal Assistant:
Hourly rate for preparation of warrant, judgment, and coordination with the Sheriff's Department	Senior Attorney: Associate Attorney: Legal Assistant:

Fees for work beyond the Specific Tasks listed in this proposal will be negotiated as additional task orders based upon agreed hourly rates. Task orders will contain detailed descriptions of the services to be provided and a maximum price for each task. Any changes to the task orders will be negotiated and approved in the form of a "change order".

## REFERENCES

The Proposer must submit a list of at least three (3) references (including names, titles, affiliations, and telephone numbers) for work comparable to that discussed in these specifications that has been completed during the past three (3) years or is currently in progress.

## ADDITIONAL SUBMISSION REQUIREMENTS

Attached please find the following Mandatory Forms I Contract Provisions which are included as part of this proposals. All offers must include these forms completed and signed where required.

- Form HUD-5369-B, Instructions to Offerers -Non-Construction.
- Form HUD-5369-C, Certifications and Representations of Offerors -Non-Construction Contract.
- Form HUD-5370-C, General Conditions for Non-Construction Contracts.
- ADDENDUM TO ENGAGEMENT AGREEMENT

## RATING AND RANKING OF SELECTION

All proposals will be rated and ranked according to the following criteria:

1. A clear understanding of laws and rules as related to VHHA

Excellent- 30 points      Good-20 points      Fair-10 points

2. Overall hands-on experience in litigation surrounding housing and public housing including evictions.

Excellent- 30 points      Good-20 points      Fair-10 points

3. Record of past performance in jobs of similar scope and nature.

Excellent- 25 points      Good-20 points      Fair-10 points

4.      Fee requested.

Excellent- 15 points      Good- 10 points      Fair-5 points

All responses should directly address each criterion under specific headings as per Form of Proposal. Responses must be received in a sealed envelope marked **"LANDLORD TENANT - LEGAL SERVICES"** by the Housing Authority Office no later than 1 PM, October 2, 2017 and shall be addressed to:

ROSEMARY A. OLSEN, ESQ., AICP  
EXECUTIVE DIRECTOR  
VILLAGE OF HEMPSTEAD HOUSING AUTHORITY  
260 CLINTON STREET  
HEMPSTEAD, NY 11550  
[rosemaryolsen@hempsteadhousing.org](mailto:rosemaryolsen@hempsteadhousing.org)

All questions related to the RFP should be directed only to Ms. Olsen at [rosemaryolsen@hempsteadhousing.org](mailto:rosemaryolsen@hempsteadhousing.org) .

The Village of Hempstead Housing Authority is an Equal Opportunity Employer. Minority/ Women Owned Businesses and Section 3 Concerns are encouraged to apply.