



REQUEST FOR QUALIFICATIONS
for
AGENCY LEGAL SERVICES

for the
Housing Authority of Snohomish County

Request for Qualifications Issued: January 31, 2019
Responses Due: February 21, 2019 by 4:00 p.m. PST

REQUEST FOR QUALIFICATIONS
AGENCY LEGAL SERVICES

The Housing Authority of Snohomish County (HASCO) is issuing this competitive Request for Qualifications (RFQ) from qualified law firms for contracts to provide agency legal services in one or more of the following scope areas: 1) general municipal, 2) real property, and 3) personnel and employment.

TERMS OF RFQ

Questions: Any questions or requests for further information or clarification must be sent to Mark Tingley at mtingley@hasco.org by February 7, 2019. A Q&A will be issued February 14, 2019 and posted on HASCO's website at <https://hasco.org/working-w-hasco/professional-services/>. For a copy of the Q&A, please visit the website or send an email to mtingley@hasco.org with the subject line "Agency Legal Services RFQ Q&A."

Addenda: If there are changes to this RFQ, HASCO shall issue an addendum. Addenda will be posted on HASCO's website at <https://hasco.org/working-w-hasco/professional-services/>. Please visit the website prior to the submittal deadline to ensure that all addenda issued by HASCO have been received. If unable to review online, request a copy of addenda by sending an email to Mark Tingley at mtingley@hasco.org with the subject line "Agency Legal Services RFQ Addenda."

Submission Instructions and Deadline: Statements of qualifications are due by February 21, 2019 by 4:00 p.m. PST via email to Mark Tingley at mtingley@hasco.org with the subject line "Agency Legal Services RFQ." An email response will be sent to confirm receipt. Women-owned, minority-owned, veteran-owned, and/or Section 3 businesses are strongly encouraged to respond. HASCO shall have no obligation to compensate any firm for any costs incurred in responding to this RFQ.

Evaluation: HASCO plans to select one or more firms that are best qualified to provide the services described in this RFQ based upon the evaluation criteria set forth in this RFQ. HASCO reserves the right to waive any omissions or irregularities in submittals, or to reject any or all submittals. HASCO reserves the right to award contracts to multiple firms for any or all of the scope areas included in this RFQ.

Records Made Public: All information submitted to HASCO may become public record, per RCW 42.56. Responders to this RFQ should review the confidentiality of their submitted information and related proprietary information. No guarantee is made by HASCO that submitted information will remain confidential and any information submitted may be disclosed upon a public disclosure request.

Basic Eligibility: Responders to this RFQ must be licensed to do business in the State of Washington, have a State Unified Business Identifier (UBI) number, and be properly authorized and licensed (if required by law) to perform the services proposed. With a statement of qualifications submission responding to this RFQ, the firm represents that neither it nor its principals/officers are presently debarred, suspended, proposed for debarment, or declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.

Payment Requirements: Firms should be aware that HASCO will only make payments to firms for professional services rendered only after the work being billed has been completed, and within 30 calendar days of receipt of a properly prepared and HASCO-approved invoice. Supporting documentation is required for payment of reimbursable expenses. No advance payments will be made.

BACKGROUND

HASCO is a public housing authority, created in 1971 and guided by a six-member Board of Commissioners that is appointed by the Snohomish County Council. HASCO has 77 employees and an annual operating budget of \$74,000,000. HASCO's portfolio includes over 2,400 units of subsidized, affordable, and workforce housing and over 3,800 housing vouchers throughout Snohomish County. HASCO provides housing for seniors, veterans, people with disabilities, and low-income working families who are increasingly pressured by stagnant wages and rising housing costs.

VISION, MISSION, AND VALUES

HASCO's core values of diversity, integrity, service, stewardship, and teamwork are practiced in our everyday work, interactions, and strategies. HASCO employees are authentic, dedicated, kind and compassionate, professional, and respectful. HASCO's mission is to meet the diverse needs of Snohomish County residents by expanding housing opportunities that promote stability, strengthen community, and provide affordability. The agency envisions a future where all Snohomish County residents have safe and affordable housing.

SCOPE OF WORK

HASCO is seeking proposals from experienced and qualified law firms for contracts to provide legal services in one or more of the following scope areas: 1) general municipal, 2) real property, and 3) personnel and employment. HASCO will select one or more firms for contracts for one or more of the scope areas. The scope of work for each scope area may include, but is not limited to, the following:

1) General Municipal

1. Serve as general counsel to HASCO's Board of Commissioners and staff on matters pertaining to public housing authority governance, including but not limited to administrative law, open public meetings, ethics, conflicts of interest, public records, public procurement and contracting, and municipal corporations in the state of Washington
2. Attend monthly HASCO Board meetings and provide reports to the HASCO Board
3. Prepare and/or review all appropriate legal documents used by HASCO in the course of its business on an as needed basis, including but not limited to:
 - Board resolutions
 - Action items
 - Administrative policies
 - Documents related to the formation of related entities
 - Interlocal agreements with other municipal entities
 - Memorandums of understanding with partner organizations

4. Advise and represent HASCO in negotiating and consulting with other parties including funders and governmental entities
5. Represent and advise HASCO in related court proceedings
6. Update and recommend revisions as needed to HASCO's procurement policy, advise staff on compliance matters, and provide training to HASCO staff on compliance with policy
7. Perform other legal tasks as requested or required by HASCO

2) Real Property: Real Estate, Development, and Construction

1. Provide guidance on federal, state, and local requirements and regulations relating to real estate, construction, real estate financing, and public procurement
2. Advise and represent HASCO, including negotiating and preparing related legal documents, in the following matters affecting real property:
 - Real property acquisitions and dispositions
 - Purchase and sale agreements and related contracts
 - Title and survey review
 - Financing from private and public funders, including preparation and review of loan agreements, mortgages, promissory notes, priority agreements, use restriction covenants and deeds of trust
 - Closing documents
 - Ownership and management of real property
 - Management agreements
 - Easements
 - Covenant agreements
 - License agreements
 - Development and construction
 - Land use applications approvals, including comprehensive plan amendments and rezones
 - Development agreements and related contracts
 - Draft and review preconstruction, design/engineering and construction agreements
 - Risk analysis / claims avoidance
 - Change order review
 - Insurance review
 - Indemnity and contribution contracts
 - Draft and review Request for Proposals and other procurement documents
 - Bid protest issues
3. As it relates to real property issues, update and recommend revisions as needed to HASCO's procurement policy, advise staff on compliance matters, and provide training to HASCO staff on compliance with policy
4. Represent and advise HASCO in real estate disputes and litigation

5. Perform other legal tasks as requested or required by HASCO

3) Personnel and Employment

1. Provide advice and represent HASCO as required in human resource and employment matters, including contract negotiations, grievance resolution, discipline and discharge, employment discrimination, the Americans with Disabilities Act, wage and hour laws, leave laws, and all applicable federal and state laws pertaining to employer-employee relationships
2. Review and recommend revisions to HASCO's personnel policies and provide training to HASCO staff on compliance with policies
3. Represent and advise HASCO in related court proceedings
4. Perform other legal tasks as requested or required by HASCO

SUBMITTAL CONTENT

HASCO reserves the right to request additional information, if necessary, in order to complete the evaluation and selection process. Interested firms are requested to submit a proposal of no more than 6 (six) pages in length if responding to one scope area; no more than eight (8) pages in length if responding to more than one scope area. Please do not submit general brochures, pamphlets or other materials unless they are to be included within the page limit. The submittal should be one complete proposal in pdf format and should not be sent in multiple emails or multiple attachments. The proposal must include the following:

1. *Cover letter.* A one page cover letter that 1) identifies which of the scope areas the firm can provide either directly or through subcontracting, 2) confirms whether the firm qualifies as a women-owned, minority-owned, veteran-owned, and/or a Section 3 business, 3) lists the location of the office of the staff that would be assigned to work with HASCO, 4) lists the contact information of the main contact at the firm, and 5) is signed by an officer of the firm that is authorized to execute agreements.
2. *Firm Experience.* A discussion of the firm's experience and qualifications that demonstrates the firm's capacity to provide the services requested under the selected scope areas. If responding to more than one scope area, please describe the full scope of services your firm provides. Please include the number of individuals in your firm specializing in each of the selected scopes as a) an absolute number, and b) a percentage of the total number of attorneys in the firm. Please note any known conflicts of interest (including positional conflicts, e.g. representation of lenders or syndicators) that your firm might have in providing the services to HASCO in the selected scope areas.
3. *Staff Experience.* A description of the personnel who will be assigned to work with HASCO, the specific services to be provided by each person, the billing rate of each person assigned, and their experience and qualifications related to the selected scope areas.
4. *References.* The contact information from at least two recent clients (ideally public or municipal agencies with similar legal service needs) that have received services from your firm in the selected scope areas within the last five years.

5. *Fees.* A fee schedule of hourly or fixed rates and other fees and expenses, including a breakdown of the categories of reimbursable expenses. If fees will change during the contract period, please include a discussion of the anticipated changes. If fixed rate schedules are used, please include a description of any additional fees that would be added to a transaction.

EVALUATION CRITERIA

All responses to this RFQ that are received by the deadline will be evaluated by a committee of two or more HASCO staff according to the criteria listed below:

Criteria	Points
1. Firm/staff experience and qualifications in selected scope areas	50
2. Past performance on HASCO projects and/or references' assessments of firm's quality of work, accuracy, timeliness, and responsiveness	25
3. Fee Schedule	15
4. Quality and clarity of written submittal	10
TOTAL	100

HASCO may schedule interviews with any or all firms for one or more of the scope areas, and the results will be factored into the final scoring for criterion #1. HASCO will select one or more firms for each scope area based on the firms with the highest amount of total points. HASCO reserves the right to cancel this RFQ, reject any or all proposals, or withdraw its selection any time prior to execution of a contract.

CONTRACT INFORMATION

HASCO and the selected firm(s) will negotiate the terms and conditions of the professional services contract. The executed contract shall incorporate the firm's proposal as an exhibit. In the contract, HASCO reserves the right to modify the scope of work and expand or modify the terms and conditions specifically set forth in this RFQ. In the event HASCO and a selected firm are not able to reach agreement on contract terms and conditions acceptable to both parties, HASCO will be relieved of any obligation to negotiate with or contract for services with the selected firm. The contract for services shall be through June 30, 2024, with two optional one-year extensions, granted at the sole discretion of HASCO. HASCO may or may not utilize the firm's services or a portion of the services during the term of the contract. Professional services are assigned on an "as-needed" basis and work on specific projects shall be assigned to the selected firms via task order during the duration of the contract.