Request for Proposals
for
Legal Representation

Deadline: 5:00 PM, July 17, 2020
I. GENERAL INFORMATION

The Yampa Valley Housing Authority is requesting proposals from qualified individuals and firms of Colorado Barr certified attorneys to provide legal representation for the authority beginning on August 17, 2020 and to be retained thereafter at the discretion of the Board of Directors of the Yampa Valley Housing Authority.

There is no expressed or implied obligation for the Yampa Valley Housing Authority to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

During the evaluation process the Yampa Valley Housing Authority reserves the right, where it may serve the Yampa Valley Housing Authority’s best interest, to request additional information or clarifications from the individuals and firms, or to allow corrections of errors or omissions. At the discretion of the Yampa Valley Housing Authority, individuals and firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

The Yampa Valley Housing Authority reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the individual or firm of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Yampa Valley Housing Authority and the individual and/or firm selected.

All questions shall be submitted in writing only, to Jason Peasley, Executive Director, jpeasley@yvha.org, no later than 5:00 PM, June 30, 2020. An addendum with responses to questions and requests for clarifications shall be posted on the Authority’s website no later than 5:00 PM, July 8, 2020. Proposers are advised not to contact other Authority staff or board members regarding this project. Failure to comply with this requirement may result in disqualification.

II. TIME REQUIREMENTS

A. Proposal Calendar

- Request for Proposals issued: June 17, 2020
- Deadline for Questions: June 30, 2020
- Addendum issue: July 8, 2020
- Due date for proposals: July 17, 2020
- Selected firm notified: TBD
- Contract date: August 17, 2020

III. NATURE OF SERVICES REQUIRED

A. Scope of Work to be Performed

The Yampa Valley Housing Authority conducts business as a political subdivision of the State of Colorado and engages in complex real estate projects, property management, and landlord activities. The scope of work includes the following:
• Complex real estate transactions requiring the review and production of partnership agreements, loan documents, management agreements, fee agreements and other documents customary to Low Income Housing Tax Credit projects.
• Real estate acquisition including purchase and sale agreements, review and resolution of title exceptions, and other matters customary to real estate transactions.
• Property management activities including service contracts, evictions and landlord-tenant disputes.
• Government operations including open meetings laws.
• Employment law.

B. Nature of Representation

The YVHA attorney represents the interest of YVHA and serves at the pleasure of the YVHA Board of Directors. The primary points of contact are the YVHA Executive Director or the YVHA Board President. The YVHA attorney will generally advise the YVHA Executive Director as he or she executes the mission of the organization. The YVHA attorney will from time to time directly advise the Board of Directors on matters related to contracts, real estate transactions, personnel matters and proper government protocol.

IV. PROPOSAL REQUIREMENTS

A. General Requirements

1. Proposals must be received at the YVHA offices by 5:00 PM, July 17, 2020. It is the responsibility of the proposer to ensure that the Proposal arrives at the YVHA offices prior to the time and date indicated above. Mail proposals to PO Box 774542, Steamboat Springs, CO 80477, or deliver to the YVHA offices at 2100 Elk River Road, Steamboat Springs, Colorado, Attention: Jason Peasley or email to jpeasley@yvha.org. Late proposals will be returned unopened.

2. Proposals not submitted electronically shall be placed in a separate envelope clearly marked "Proposal – Legal Representation."

3. Proposals shall be firm for a period of 90 days commencing July 17, 2020.

4. Any person or agency on the US Attorney General’s list of ineligible contractors will not be considered.

5. The proposer certifies by signing this proposal that this proposal is made without prior understanding, agreement or accord with any other person submitting a proposal for the same product or service and that this proposal is in all respects bona fide, fair and not the result of any act of fraud or collusion with another person engaged in the same line of business or commerce. Any false statement hereunder constitutes a felony and can result in a fine and imprisonment as well as civil damages.

B. Resume and Credentials

1. The proposal shall include the resume and credentials of all individuals who will legal provide services as described in Section III above.

C. Cost Proposal

1. Summary of Professional Fees and Expenses

The cost proposal shall contain all pricing information relative to performing legal services as described in this request for proposal.
The Yampa Valley Housing Authority will not be responsible for expenses incurred in preparing and submitting the technical proposal or the cost proposal. Such costs should not be included in the proposal.

The first page of the cost proposal should include the following information:

a. Name of Firm
b. Certification that the person signing the proposal is entitled to represent the firm, empowered to submit the bid and authorized to sign a contract with the Yampa Valley Housing Authority.

2. Rates by staff member

Include the rate for each partner, specialist, supervisory and staff level expected to perform the necessary services. The second page of the proposal should include a schedule of professional fees and expenses.

3. Manner of Payment

Include the terms of payment and billing expectation.

V. EVALUATION PROCEDURES

A. Review Panel

Proposals will be evaluated by the Executive Director and the Board President.

B. Review of Proposals

The review panel will review the proposals and make a recommendation to the YVHA Board for final consideration.

C. Evaluation Criteria

The review panel will evaluate the proposals based on the resume and credentials of the individual or firm, the individuals or firm’s ability to meet the legal representation need of YVHA and the cost of those services.

D. Oral Presentations

During the evaluation process, the review panel may, at its discretion, request the eligible firms to make oral presentations. Such presentations will provide firms with an opportunity to answer any questions the review panel may have on a firm’s proposal. Not all firms may be asked to make such oral presentations.

E. Final Selection

The Yampa Valley Housing Authority Board of Directors will select an individual or firm based upon the recommendation of the review panel.

It is anticipated that a firm will be selected by August 13, 2020. Following notification of the firm selected, it is expected a contract will be executed between both parties by August 17, 2020.

F. Right to Reject Proposals
Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposal unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Yampa Valley Housing Authority and the firm selected.

The Yampa Valley Housing Authority reserves the right to reject any or all proposals.

VI. EMPLOYMENT DISCRIMINATION BY CONTRACTOR PROHIBITED

The successful firm will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin and will comply with the Americans with Disabilities Act. The successful firm shall adhere to acceptable affirmative action guidelines in selecting employees and shall ensure that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Pursuant to Section 8-17.5-102(1), C.R.S., the auditing firm will certify that, as of the date of its Proposal, it does not knowingly employ or contract with an illegal alien and it has participated or attempted to participate in the Basic Pilot Employment Verification Program (as such term is defined in Section 8-17.5-101(1), C.R.S.) in order to verify that it does not employ any illegal aliens.

VII. INSURANCE REQUIREMENTS

The firm shall provide at his own expense the following insurance for himself/herself and his/her employees in connection with their work under this project:

1. Worker’s Compensation: Statutory
2. General Liability: $1,000,000 each occurrence and aggregate
3. Auto Liability Insurance: $150,000 each occurrence and $600,000 aggregate

The firm shall indemnify and hold harmless YVHA against and from all liability, claims, damages, demands and cost, including attorney fees of every kind and nature and attributable to bodily injury, sickness, disease or death or to damage or destruction of property resulting from or in any manner arising out of or in connection with the project and the performance of the work under this contract.