

**City of Birmingham, Alabama**  
**Department of Community Development**

**Request for Proposal**  
**(RFP)**

**Professional Legal Services**  
**For the following Grant Programs**

**Community Development Block Grant (CDBG)**  
**Urban Development Action Grant Program Income – UDAG**  
**Repayments**  
**Emergency Shelter Grant Program (ESG)**  
**HOME Investment Partnership Program (HOME)**  
**American Dream Down Payment Initiative (ADDI)**  
**Housing Opportunities for Persons With Aids (HOPWA)**

RFP Issue Date:

May 2, 2016

RFP Submission Deadline:

May 16, 2016

**CITY OF BIRMINGHAM, ALABAMA**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**PROFESSIONAL LEGAL SERVICES**  
**Request for Proposals**

Introduction

The City of Birmingham, Alabama, (the City), is soliciting proposals for legal services in the administration of various U.S. Department of Housing and Urban Development (HUD) and other programs administered through the City's Community Development Department.

The Community Development Department administers grants from several federal agencies for a variety of purposes in accordance with their guidelines including, but not limited to, the following grant programs:

**Community Development Block Grant Program (CDGB)**

**Urban Development Action Grant Program Income –UDAG Repayments**

**Emergency Shelter Grant Program (ESG)**

**HOME Investment Partnership Program (HOME)**

**American Dream Down Payment Initiative (ADDI)**

**Housing Opportunities for Persons With Aids (HOPWA)**

For all federal funds, there are specific administrative duties that must be performed in order to ensure that the City complies with all applicable federal rules and regulations. These rules and regulations include both those published by the individual federal agencies, as well as these standard grant administrative procedures applicable throughout the federal system of intergovernmental assistance (including OMB management circulars). In addition, compliance with the Codes of Alabama and the City of Birmingham is required.

Scope of Services

The types of legal services required will include the following:

- 1) Assistance in the preparation of closing documents (notes, mortgages, loan agreements, other security agreements, etc.) for loans made with the above referenced federal funding in support of eligible activities. Primary sources of funding include, but are not limited to, Community Development Block Grant funds and Urban Development Action Grant Program Income receipts.

- 2) General Counsel regarding periodic questions relating to various real estate transactions, legal agreements, security agreements which have previously been entered into as a part of federal grant programs or projects.
- 3) Assistance with the preparation of required documentation for other programs of financial assistance including Section 108 Loan Guarantees made under Section 108 of the Housing and Community Development Act of 1974, as amended; and Interim Loans made under the CDGB and UDAG Repayment Interim Float Loan Programs. Services include preparation and review of closing documents, letters of credit, bond counsel opinions, etc.
- 4) Assistance to the City in devising loan work-out strategies for projects which have been previously funded and subsequently default on payments or other terms of agreements. Such assistance may include filing proper legal actions, assist in claiming collateral, re-negotiation of terms, etc.
- 5) Other related legal services.

#### Proposed Evaluation

All submitted proposals will be evaluated on the following criteria:

- A) Hourly rates (under Federal Regulations, retainers may not be paid for services of various personnel). Only a specific hourly rate for various categories of personnel such as Partners, Principals, Associates, Para-legal, Clerical, etc, will be acceptable. (Rate 1-10).
- B) Demonstrated experience in the area(s) of interest. Experience should be thoroughly demonstrated in the proposal. Proposals should be specific as possible regarding proposed staffing and should demonstrate adequate available staffing capacity sufficient to prioritize any work assignments received from the Director of Community Development. (Rate 1-20)
- C) Prior experience in providing satisfactory legal services for Community Development purposes. (Rate 1-20)
- D) Specific work examples /references demonstrating required experience. (Rate 1-10)
- E) Prior successful experience with CDGB, UDAG, ESG, HOME, and HOPWA grant programs previously referenced herein. (Rate 1-10)
- F) Firm location within the City. (Rate 0 or 5)
- G) Qualifications of firm and proposed staff. (Rate 1-10)
- H) Firm's minority status. (Rate 0 or 5)

I) Section 3 Business or Employ Section 3 Residents. (Rate 0 or 5)

J) Maximum Points Available: 95

Method of Payments/Terms of Agreements

Only specific hourly rates for various categories of personnel such as Partners, Principals, Associates, Para-legal, Clerical, etc., will be acceptable. Retainers may not be paid in accordance with Federal regulations and any agreements awarded under this request for proposals may be for a maximum period of up to three (3) years.

Payments will be made on a reimbursement basis, with payments based on invoices documenting time, tasks, job title, hourly rates, and materials required for tasks performed under the terms of any agreement awarded.

Participation of Historically Underutilized Business Enterprises

The City, as a matter of public policy, encourages participation of minority-and women-owned business enterprises to the maximum extent possible, subject to 24 CFR Pt. 85.36, which requires competitive procurements to be conducted in a manner providing full and open competition and prohibits the imposition of geographical or other unduly restrictive preferences in the evaluation of bids and proposals, except in the case of Section 3 of the Housing and Urban Development (HUD) Act of 1968.

### Content of Proposals

Proposals should be submitted to the Community Development Department in a format of your selection. Proposals should address all concerns previously stated and should focus on the documented capabilities of the firm/individual and delineate a detailed proposed hourly schedule of fees for services.

The proposal should also include an Equal Employment Statement whereby the firm/attorney states that "In its employment practices and services rendered, it does not and shall not discriminate, based on an individual's race, national origin, sex or religion."

To be considered, proposals must be received in the office of the City's Community Development Department no later than May 16, 2016, at 4:00pm central time, and should be addressed as follows:

Mr. John G. Colon, Director

Community Development Department

710 North 20<sup>th</sup> Street- Room 1000

Birmingham, Alabama 35203

Point of Contact:

Please address any questions about the RFP to:

ATTN: Thomas L. Stone Jr., Principal Accountant  
205.254.2101,  
[Thomas.StoneJr@birminghamal.gov](mailto:Thomas.StoneJr@birminghamal.gov)

The City reserves the right to reject any and all proposals received in response to this request for proposals.