

MACON-BIBB COUNTY, GEORGIA

Request for Professional Services (RPS)

FOR

Professional Legal Services Economic & Community Development

15-020-ND



MACON-BIBB COUNTY

ISSUE DATE: September 22, 2014

DUE DATE: October 16, 2014

MBE/WBE/DBE Participation: Minority, Women Owned, and other Disadvantaged Business Enterprises are encouraged to participate in the solicitation process. Additionally, respondents are encouraged to use M/W/DBE sub-consultants where possible. Small and other disadvantaged businesses requiring assistance with the competitive process can contact Dr. James Louis Bumpus, Director of Small Business Affairs at (478) 951-2192 or jbumpus@maconbibb.us

I. GENERAL

A. Invitation

Notice is hereby given that Macon-Bibb County will receive responses to the Request for Professional Services (original **plus 3 copies**) in the Procurement Department, 682 Cherry Street, 8th Floor, Macon, Georgia 31201, until **12:00 o'clock NOON** at the time legally prevailing in Macon, Georgia on Thursday, October 16, 2014, for **Professional Legal Services for Economic and Community Development (ECD)** for Macon-Bibb County.

NO LATE RESPONSES WILL BE CONSIDERED

The names of responding firms will be publicly read on Thursday, October 16, 2014, at 2:00 P.M. in the Macon-Bibb County Procurement Department Conference Room, located on the 8th Floor of the Government Center Annex Building at 682 Cherry Street, Macon Georgia 31201.

B. Definitions

Wherever the term "Owner", "County", or "Macon-Bibb County" occur in this document, it shall mean Macon-Bibb County, a political subdivision of the State of Georgia acting through the Macon-Bibb County Board of Commissioners.

C. Solicitation Documents

Announcement of this Request for Professional Services may also be posted on the Macon-Bibb County website at www.maconbibb.us/purchasing or on the Georgia Procurement Registry website https://ssl.doas.state.ga.us/PRSapp/PR_index.jsp

D. Insurance Requirements

Insurance coverage shall be carried with an insurance company licensed to do business in the State of Georgia. All coverage should be written with insurance company with a Best Rating of A or better. Insurance shall be obtained prior to commencement of work and shall remain in force throughout the period of the contract. Macon-Bibb County shall be named as additional insured on the policy.

Workers' Compensation: Statutory
Malpractice Insurance: \$1,000,000
General Liability: \$1,000,000

E. Submittals

Responses must be sealed and identified on the outside of the package as and delivered to

"RPS # 15-020-ND - Legal Services (ECD)
Macon-Bibb County Procurement Department
682 Cherry Street
8th Floor
Macon, Georgia 31201
Telephone: (478) 803-0550

Submissions may not be withdrawn for a period of one hundred and twenty (120) days after the deadline on date of closing. Macon- Bibb reserves the right to reject any and all submissions and to waive technicalities and formalities. Respondents shall carefully read the information contained herein and submit a complete response to all requirements and questions as directed. Submittals and any other information submitted by in response to the RPS shall become the property of Macon-Bibb County.

F. Responsiveness

All firms, in order to be considered “*responsive*” must include the following with their submission:

- Price Proposal Form
- Proposer Qualification Form
- Financial & Legal Stability Statement
- Georgia Security and Immigration Compliance Act (E-Verify) Affidavit
- Proof of Insurance meeting the minimum established thresholds.

G. Responsibility

In order to be considered “*responsible*” the submitting firm must meet the following minimum qualifications:

- Minimum of Five (5) years of experience providing the services included herein
- Licensed to do business in the State of Georgia
- Active member of the State Bar of Georgia, in good standing.
- Financially and Legally responsible to perform the services included herein

H. Reservations

Macon-Bibb County will not provide compensation to Respondents for any expenses incurred by the Respondent(s) for submittal preparation or for any demonstrations that may be made, unless otherwise expressly stated or required by law.

Each submission should be prepared simply and economically, providing a straightforward, concise description of your firm’s ability to meet the requirements of this RPS. Emphasis should be on completeness, clarity of content, responsiveness to the requirements, and an understanding of the Owner’s needs.

Macon-Bibb County makes no guarantee that an award will be made as a result of this RPS and reserves the right to accept or reject any or all submittals, with or without cause, waive any formalities or minor technical inconsistencies, or delete any item/requirement from this RPS or contract when deemed to be in the Owner’s best interest.

Macon-Bibb County will consider only representations made within the submission in response to this RPS. Owner will not be bound to act by any previous knowledge, communication or submission by the firms other than this RPS.

Failure to comply with the requirements contained herein may result in the submission being deemed “non-responsive” or “non-responsible”. None responsive submissions will not be reviewed for potential award.

II. BACKGROUND

The Economic & Community Development (ECD) Department is soliciting proposals in order to enter into a contract(s) for legal services related to the various programs carried out by the Office. The programs of the Office are funded primarily by the U. S. Department of Housing and Urban Development and other federal, state and private grants. Activities of the Office include but are not limited to housing rehabilitation loans, home ownership programs, foreclosures, collections, economic development loans and multi-family housing developments including those financed by multiple sources including Low Income Housing Tax Credits, general funds, bank financing, etc...

The Office must perform specific administrative duties and adhere to a system of administrative procedures in order to assure all funding agencies that it complies with applicable federal, state and local rules and regulations. These rules and regulations include those parts of the Code of Federal Regulations that deal with specific federal agencies, as well as standard grant administration procedures that apply throughout the federal system of intergovernmental assistance (including OMB management circulars). Compliance with the Code of Macon Bibb and the policies and resolutions of the Macon Bibb County Commission are also essential. The Firm may be required to take an active role in researching, investigating, negotiating and implementing these rules, regulations, policies, procedures, and duties. Macon Bibb County will make payments to the Firm on a

monthly basis. Payments will be based on invoices documenting time and materials required for tasks performed under the agreement. Invoices will be reviewed and approved by Office staff before being submitted to Macon Bibb County Finance Office for payment.

III. SCOPE OF SERVICES

The Economic and Community Development (ECD) Department is accepting proposals for the provision of legal services for the Community Development Block Grant (CDBG), HOME and other Federal Programs administered by ECD. The successful attorney or firm will be required to perform the following:

- Title Examinations and certifications;
- Handle issues and matters relating to construction law such as delay issues, damage calculations, etc.;
- Prepare loan agreements and conduct loan closings;
- In-rem foreclosures;
- File legal documents relating to the CDBG, HOME and other Federal Programs administered by ECD; and
- Handle all litigation to which the ECD may be a party.

Said services will include such general items as:

- Advice and assistance to the ECD on legal matters; and
- The rendering of opinions on all legal matters submitted by ECD.

IV. SUBMITTAL FORMAT AND REQUIREMENTS

Submissions must be limited to a total of twenty (20) pages and must be organized in a manner to display the required information in easily accessible tabs labeled:

Attorney/Firm Background

- Letter of Interest
- Contact information (including address(es), telephone/Fax numbers, email, etc.)
- A brief history or background of the attorney(s) who will be responsible for handling the legal matters submitted by ECD.
- A brief history of the type of legal matters handled by the attorney/firm that would qualify the attorney/firm to provide legal services to ECD

Past Experience and/or References Provided

- Resume(s) of key personnel
- Reference list (identify clients serviced within the past three (3) years)
- List of any prior work with federal agencies or federal programs
- Certification that the attorney(s) and/or the firm is in good standing with the Georgia Bar Association and provide the firm's Martindale-Hubbell rating, as well as the rating of each attorney who will work with ECD.
- Certification that the attorney/firm is not representing a client who has a claim against ECD or will not accept such a case during the term of the agreement between ECD and the attorney/firm.

Price Proposal

- Provide hourly rate for legal services to be rendered on the price proposal form included.

V. SCORING (total possible number of points = 100)

Background – Maximum 30 points

Experience – Maximum 40 points

Price – Maximum 30 Points

Scoring will be performed by a team of reviewers utilizing the Point Allocation Guidelines included as Attachment "A".

VI. AWARD BASIS

Award will be recommended to the respondent with the highest number of points.

PRICE PROPOSAL FORM

15-020-ND – Professional Legal Services for ECD

Pricing

\$ _____/Hour

BIDDER INFORMATION

Company Name:

Company Address:

Authorized By (typed or printed name):

Title:

Authorized Signature:

Date:

Telephone Number:

Fax Number :

Email Address:

REMITTANCE INFORMATION (where payments should be sent)

Remit to Name:

Remit to Address:

City:

State:

Zip:

County:

Phone:

Fax:

Toll Free:

Contact:

Email:

Tax ID: ☐ SSN_____ Federal Tax ID_____

Business Type: ☐ Individual ☐ Business ☐ Misc.

PURCHASE ORDER INFORMATION (where purchase orders should be sent)

Purchase Order Name:

Purchase Order Address:

City:

State:

Zip:

County:

Phone:

Fax:

Toll Free:

Contact:

Email:

Payment Terms: Discount _____% No. Days_____ Net Due_____

Freight Terms: Ship Via:_____ FOB_____

MBE/DBE/WBE STATUS (check appropriate box(es))

☐ African American ☐ Hispanic ☐ Native American ☐ Asian American

☐ Veteran ☐ Disabled ☐ Woman-Owned ☐ Not-Applicable

PROPOSER QUALIFICATION FORM

Company Name: _____

Address: _____

When Organized: _____ Where Incorporated: _____

How many years have you engaged in business under the present firm name? _____

Comments: _____

Company Name: _____

Authorized By (typed name): _____

Authorized Signature: _____

Title: _____ Date: _____

References (use additional pages as needed)

Following is a reference list of clients with similar needs as described herein:

NAME OF PROJECT/DATE	LOCATION	CONTACT	PHONE #
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

_____ DAY OF _____, 201____ My Commission Expires: _____

[NOTARY SEAL]

Notary Public

FINANCIAL & LEGAL STABILITY STATEMENT

Please check appropriate item(s):

☐ Firm has the financial capability to undertake the work and assume the liability required if awarded this solicitation.

☐ Firm has the legal capability to undertake the work and assume the responsibilities required if awarded this solicitation. Pending litigations (if any) will not affect the firm's ability to perform on this contract, if awarded.

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

_____ DAY OF _____, 201____ My Commission Expires: _____

[NOTARY SEAL]

Notary Public

GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT
(E-VERIFY) AFFIDAVIT

Contract No. and Name: _____

Name of Contracting Entity: _____

By executing this affidavit, the undersigned person or entity verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with Bibb County has registered with, is authorized to participate in, and is participating in the federal work authorization program commonly known as E-Verify,* in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

The undersigned person or entity further agrees that it will continue to use the federal work authorization program throughout the contract period, and it will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the undersigned with the information required by O.C.G.A. § 13-10-91(b).

The undersigned person or entity further agrees to maintain records of such compliance and provide a copy of each such verification to Bibb County at the time the subcontractor(s) is retained to perform such service.

EEV/E-Verify™ User Identification Number

Date of Authorization

By: Authorized Officer or Agent
(Name of Person or Entity)

Date

Title of Authorized Officer or Agent
Officer or Agent

Printed Name of Authorized

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____ DAY OF _____, 201____

My Commission Expires: _____

Notary Public

[NOTARY SEAL]

*** or any subsequent replacement** operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603.

ATTACHMENT “A” POINTS ALLOCATION GUIDELINES

POINTS	Attorney/Firm Background – MAXIMUM 30 POINTS
30	Attorney/Firm Background provides evidence of exceptional ability to provide services as described in the RPS. All anticipated resources are identified, including staff, technology and equipment. The proposal includes substantial evidence of the experience and resources necessary to successfully provide the services.
20	Attorney/Firm Background provides evidence of adequate ability to provide services as described in the RPS. Many anticipated resources are identified, including staff, technology and equipment. The proposal includes some evidence of the experience and resources necessary to successfully provide the services.
10	Attorney/Firm Background provides evidence of marginal ability to provide services as described in the RPS. Some anticipated resources may be identified, including staff, technology and equipment. The proposal includes little or no evidence of the experience and resources necessary to successfully provide the services.
0	Attorney/Firm Background provides evidence of subpar ability to provide services as described in the RPS. Very few or no resources are identified, including staff, technology and equipment. The proposal includes no evidence of the experience and resources necessary to successfully provide the services.
POINTS	Past Experience and/or References Provided– MAXIMUM 40 POINTS
40	Firm has identified clients that are currently using or have used services within the past 3 years which are considered comparable to the requirements of the RPS. Clients contacted are able to verify the service levels and capability of the respondent to provide exceptional services.
30	Firm has identified clients that are currently using or have used services within the past 3 years which are considered comparable to the requirements of the RPS. Clients contacted are able to verify the service levels and capability of the respondent to provide above average services.
20	Firm has identified clients that are currently using or have used services within the past 3 years which are considered comparable to the requirements of the RPS. Clients contacted are able to verify the service levels and capability of the respondent to provide average services.
10	Firm has identified clients; however none that are currently using or have used services within the past 3 years which are considered comparable to the requirements of the RPS. <u>OR</u> Clients contacted are able to verify the service levels and capability of the respondent to provide poor services.
0	Firm has identified no clients to whom similar services have been provided or has failed to meet the minimum qualifications.
POINTS	Pricing – MAXIMUM 30 POINTS

Points calculated by Procurement using a standard formula which awards the total number of points to the lowest priced firm and a relative number of points to each subsequent firm based on their price comparison to the lowest price.

EXAMPLE: Pricing – MAXIMUM 25 POINTS

Firm A	\$ 30,500.00
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Lowest Price is **\$30,500 = 25 Points**

Firm B	\$ 37,640.00
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$30,500/37,640 = 0.810 \times 25 = 20.25$ points

Firm C	\$ 75,000.00
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$30,500/75,000 = 0.406 \times 25 = 10.15$ points