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REV. JOHNNY R. WRIGHT

**EXECUTIVE DIRECTOR AND
SECRETARY-TREASURER**

BART J. COOK, ESQ., PHM

1810 ALBERTA AVENUE
NEPTUNE, NEW JERSEY 07753
TELEPHONE 732-774-7692
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REQUEST FOR PROPOSALS

The Neptune Housing Authority, New Jersey (hereby called the Authority) will accept proposals for the following services "Special RAD Counsel", Proposals due on March 10, 2020 by 10:00 AM. It is the Authority's desire to retain a duly qualified, competent and capable law firm specializing in the necessary disciplines to convert public housing under HUD's Rental Assistance Demonstration Program (RAD).

All services must be in accordance with the existing laws, rules, orders, directives and regulations governing these services.

Interested parties should contact the Housing Authority in order to receive a copy of the formal Request for Proposal. The RFP specifies the scope of the services and the requirements for submitting proposals.

Proposals are due in an original and two copies submitted to the Neptune Housing Authority, Attention: Bart J. Cook, ESQ. PHM. **NO LATE PROPOSALS WILL BE ACCEPTED.** All proposals must be enclosed in a properly sealed envelope bearing on the outside the name of the bidder and the words: "RFP- Special RAD Counsel – Neptune Housing Authority".

The Housing Authority reserves the right to reject any and all proposals received for these services. It also reserves the right to terminate the consultant, for convenience, at any time during the term of the contract.

This solicitation is being made in accordance with the New Jersey Local Unit Pay to Play law (NJSA 19:44A 20.4 et seq.) as a "fair and open" process.

Date:



Executive Director



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Requests for Proposals

Special RAD Council

The Neptune Housing Authority, New Jersey (hereby referred to as Authority) will accept proposals for Special RAD Counsel specializing legal disciplines necessary to convert public housing under HUD's Rental Assistance Demonstration Program (RAD). All services must comply with state and local laws and be in accordance with the existing rules, orders, directives, regulations and ensure full compliance with the law.

I. Scope of Services

The services that are requested will be as follows:

- 1) Review Cooperation Agreement(s) to determine if it can be carried forward for the RAD conversion project. If yes, prepare the necessary legal opinion to support this determination in the form as required by the lender and investor. Alternatively, work with the Authority's General Counsel to obtain that opinion.
- 2) Establish a special purpose entity to assist with the Leasing and Management of the properties.
- 3) Prepare the required management agreement
- 4) Review all financing documents.
- 5) Prepare necessary documents and obtain approval necessary to issue debt, including appearing before all required regulatory agencies.
- 6) Prepare and process all documents and approvals for RAD closing as listed on the RAD closing checklist.
- 7) Such other services as requested by the Authority.

II. Qualifications

- 1) Must possess all applicable licenses and certifications necessary to undertake this work.
- 2) Must have experience in Municipal Land Use Law, the Local Redevelopment and Housing Law and past RAD transactions.
- 3) Must be approved or approvable by the United States Department of Housing and Urban Development to provide these services, if, and as may be required.
- 4) Should have previous experience providing these services on a similar scale.
- 5) Must have experience in Municipal Land Use Law, the Local Redevelopment and Housing Law and past RAD transactions.

- 6) Must be approved or approvable by the United States Department of Housing and Urban Development to provide these services, if, and as may be required.
- 7) Should have previous experience providing these services on a similar scale.

III. Proposal Submission

The following items should be included in the proposal:

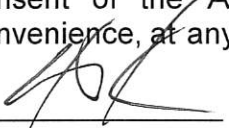
- 1) Proposal Submission Sheet;
- 2) Listing of similar projects that the firm has previously completed and/or is currently working on, including the status thereof
- 3) Listing of references;
- 4) Copies of applicable licenses and certifications;
- 5) Valid New Jersey Business Registration Form.
- 6) Certification that the neither the firm nor any of the principals have been suspended or debarred from participation in HUD Programs.
- 7) Non-Collusive Affidavit.
- 8) Affirmative Action Compliance Notice.
- 9) Statement of Ownership form.

Proposals are due in an original and two copies submitted to the Neptune Housing Authority, Attention: Bart J. Cook, ESQ. PHM, Executive Director on or before 10:00 AM on March 10, 2020. NO LATE PROPOSALS WILL BE ACCEPTED. All proposals must be enclosed in a properly sealed envelope bearing on the outside the name of the bidder and the words: "RFP-RAD Special RAD Counsel- Neptune Housing Authority".

The Authority will evaluate all proposals according to its "Competitive Proposal Evaluation System." All proposals for Special RAD Counsel should be submitted on the required proposal submission sheet. This sheet should be the first page of your proposal.

This solicitation for proposals is being made in accordance with the New Jersey Local Unit Pay to Play law (NJSA 19:44A 20.4 et seq.) as a "fair and open" process. All proposals will be publicly opened on the date and time specified in the RFP.

The Housing Authority reserves the right to reject any and all proposals and to waive any informalities. No proposal may be withdrawn for a period of sixty (60) days without written consent of the Authority. It also reserves the right to terminate the Consultant, for convenience, at any time during the term of the contract.


Executive Director
Date:

Neptune Housing Authority
RAD Conversion
COMPETITIVE PROPOSAL EVALUATION SYSTEM

Professional Services

Type of Services: Special RAD Counsel

Name/Address of Respondent:

1) Demonstrated Experience and Competence in this Type of Work. (25 Points)

2) Familiarity with Program Rules
HUD RAD Rules & Regulations and
experience with similar
transactions. (25 Points)

3) Capability and Capacity to Accomplish Work within the Required
Time Period. (15 Points)

4) Specialized Experience of Key Personnel in Housing Authority
Programs. (20 Points)

6) Firm's Equal Opportunity Policy. (5 Points)
Each bidder must ensure that all employees and applicants for employment are
not discriminated against because of race,
color, religion, sex or national original.

7) Price (20 Points)

Total Point Score:

Narrative Review of Proposal: Proposal pricing was non-responsive since it did not
include a not to exceed fee

Neptune Housing Authority
SPECIAL RAD COUNSEL
PROPOSAL SUBMISSIONSHEET

- 1) Name/Address of Firm:
- 2) Telephone Number:
- 3) Contact Person:
- 4) Amount of Fee (attach separate sheet, if necessary):
 - a. Not to exceed maximum fee:
 - b. Hourly rate for other services:
- 5) Amount of Any Expected Reimbursables:
- 6) Other:

NOTE: Not to exceed price should encompass all work listed in this RFP and related legal work to bring the RAD conversion to fruition.

CERTIFICATION
Suspension & Debarment Form

Date: _____

Name of Firm: _____

Address: _____

Telephone #: _____

I, _____ (name) duly appointed _____ (position) of the
_____ (name of firm) do hereby certify that I, nor any of principals
of our firm are suspended or debarred from doing business with the U.S. Department of
Housing & Urban Development.

Subscribed and sworn before me

this _____ day of _____, 20____.

(Notary Public)

Print Name & Title of Affiant

My Commission expires:

(Corporate Seal)

FORM OF NON-COLLUSIVE AFFIDAVIT

AFFIDAVIT

State of _____
County of _____

I _____ residing in _____
(Name of Affiant) (Name of Municipality)
in the County of _____ and State of _____ of full age, being first
duly sworn, according to law on my oath depose and say that:
he is a _____ of the firm of _____
(Title of Position) (Name of Firm)

the party making the foregoing proposal or bid entitled Special RAD Counsel, and that I
executed the said proposal or bid is genuine and not collusive or sham, that said bidder
has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or
person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly
or indirectly, sought by agreement or collusion, or communication or conference with any
person, to fix the bid price of affiant or of any bidder, or to fix any overhead, profit or cost
element of said bid price, or of that of any other bidder, or to secure any advantage against
the **NEPTUNE HOUSING AUTHORITY** or any person interested in the proposed contract;
and that all statements in said proposal or bid are true.

Signature of

Bidder, if the bidder is an individual;

Partner, if the bidder is in a partnership;

Officer, if the bidder is a corporation.

Subscribed and sworn to before me:

This _____ day of _____ 20____

Notary Public of _____

My commission expires _____ 20____

(Corporate Seal)

STOCKHOLDER DISCLOSURE

STATE OF NEW JERSEY CHAPTER 33 PL 1977

Chapter 33 of the Public Laws of 1977 (N.J.S.A. 52:25-24-2) provides that no corporation or partnership shall be awarded any state, county, municipal or school district contract for the performance of any work or the furnishing of any materials or supplies, unless, prior to the receipt of the bid or accompanying the bid of said corporation or partnership, there is a submitted statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein. Form of Statement shall be completed and attached to the proposal.

NAME OF BUSINESS: _____

☐ I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

☐ I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that owning corporation. If no one owns 10% or more stock, attest to that.

Check the type of business that represents your organization:

____ Partnership ____ Corporation ____ Sole Proprietorship ____ Limited Partnership
____ Limited Liability Corporation ____ Limited Liability Partnership ____ Subchapter S
Corporation

The above firm states that the following is a complete listing of stockholders/individual partners who will own ten percent (10% or more interest in the above-named firm. Please sign and notarize the form below.

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Name: _____
Home Address: _____

Subscribed and sworn before me
this _____ day of _____, 20____.

(Notary Public)

My Commission expires:

AFFIRMATIVE ACTION COMPLIANCE NOTICE

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

**GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)**

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- a. A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);
- OR
- b. A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;
- OR
- c. A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____