

Rev. Chester Chavis, Chairperson
Polly D. Hunt, Vice-Chairperson
Ashley R. Locklear, Executive Director

Michael Hayman, Commissioner
Sunsarae Locklear-Harrell, Commissioner
Patrick Strickland, Commissioner

REQUEST FOR PROPOSALS LEGAL SERVICES

The Pembroke Housing Authority, of Pembroke, North Carolina, will receive proposals for a fixed price contract for legal counsel, which covers a broad range of service requirements. The effective date of the agreement will be January 1, 2025.

Attention is directed to the attached instructions, specifications, and proposal guide, which will be part of the request for proposals. All proposals must be submitted in duplicate, on letterhead in the format of the sample proposal form and shall be based upon and in conformity with the enclosed specifications.

Enclosed are the parts of this notice as following:

1. ADVERTISEMENT
2. INSTRUCTIONS TO BIDDERS
3. GENERAL INSTRUCTIONS
4. SPECIFICATION
5. SAMPLE BID FORMAT
6. INFORMATION PAGE
7. PROOF OF STATE LICENSE

The proposal documents shall be sealed and labeled “PROPOSAL FOR LEGAL COUNSEL”, with the name of the firm clearly identified outside the envelope. The Authority must receive the proposal on or before 2:00 p.m., October 31, 2024.

Requests for additional information should be directed to Ashley R. Locklear, Executive Director, by calling (910) 521-9711.

INSTRUCTIONS TO BIDDERS

1. Proposals will be received until 2:00 p.m., October 31, 2024, at the *Joel Garth Locklear, Sr. Administration Building* of the Authority located at 606 Lumbee Street, Pembroke, North Carolina. The contents of each proposal will be made public for the information of bidders and others properly interested.
2. Proposals shall be submitted on the letterhead of the firm or the quoting agent and signed by the owner, or Chief Executive Officer of the firm.
3. The firm receiving the award shall deliver an original and a certified duplicate copy of a Certificate of Insurance indicating errors and omissions coverage.
4. The Pembroke Housing Authority reserves the right to waive any formalities and reject all bids. No bid shall be withdrawn for thirty (30) days after the date opened.
5. Interested, qualified firms and individuals are required to examine the specifications, which describe the services to be provided. It is assumed that the bidder has made such investigation as to be fully informed as to the extent and character of the hazards and of the requirements of the specification. No warranty is made or implied as to the information contained in the specifications.
6. The Pembroke Housing Authority may disqualify the bid of any company not licensed by the State of North Carolina for the practice of law within its territorial boundaries.
7. The firm should possess general knowledge of Federal, HUD, State and City regulations as they apply to the management of the Authority; labor relations; real estate law including property acquisition and public/private partnerships; personnel policies including grievances and dismissals; non-profit corporations; maintenance and construction contract review and enforcement; and public policy reviews and the effect on the Authority. If qualifications are equal, cost will be the determining factor.
8. The firm must possess general knowledge of Federal, HUD, State, and City regulations as they apply to the eviction of residents from public housing and assisted housing. Expertise in the following areas is desired: knowledge and experience with evictions in court, both small claims and district; understanding of HUD's administrative processes; the development of agreements with residents to continue occupancy; and the enforcement of the Authority's lease agreement. If qualifications are equal, cost will be the determining factor.
9. The bidder shall include an hourly flat rate applicable to all general legal counsel provided to the Authority.

GENERAL INSTRUCTIONS

1. The bid shall consist of a set monthly rate, i.e. retainer, hourly rate for evictions, and an hourly rate for general legal counsel. The cost of out-of-town services, if necessary, will be negotiated on a case-by-case basis.
2. The response time for legal counsel should not exceed more than forty-eight hours from the time of notification, or request of service, by the Authority.
3. The contract may be canceled at any time by either party by giving a thirty (30) day written notice. Such notice shall be properly served upon receipt of either party via first class mail to the Central Office of the other party.
4. The bidder awarded the contract will be expected to execute a hold harmless agreement as part of the contract.
5. The firm selected to represent the Authority must be an equal opportunity employer.

SPECIFICATIONS FOR LEGAL COUNSEL

The following legal services are required of the successful bidder by the Authority:

1. Lease provision reviews and research;
2. Policy reviews for legality and application;
3. Title and deed searches for the acquisition of property;
4. Review of city ordinances and HUD policies;
5. Review and enforcement of maintenance and construction contracts, including the review of contracts for equipment, services and work-items, and resolution of disputes with contractors;
6. Board of Commissioners issues such as by-law changes, commissioner liability and official responses to inquiries;
7. Research on federal/state/local/legislative and regulatory issues affecting public housing;
8. Personnel issues relating to dismissals, grievances, and personnel policy development;
9. Representation of the Authority in District Court with issues of eviction of residents;
10. Advice to staff in preparing for evictions; and
11. Development of agreements between the Authority and residents as a condition of continued occupancy.

SAMPLE PROPOSAL FORMAT

LETTER HEAD OF BIDDING COMPANY

PROPOSAL FOR LEGAL COUNSEL

I/We hereby propose to provide general legal counsel and other services as outlined within the request for proposal to the Pembroke Housing Authority. This bid includes all charges necessary for the proposed services to the Pembroke Housing Authority. The cost of this service should be listed as a separate cost on this proposal based on the cost of each type of service.

I/We have reviewed the proposed specifications and agree to provide the services represented below:

BASE BID

Monthly Retainer..... \$ _____

General Hourly Rate..... \$ _____

COURT PROCEEDINGS

Per Case Fee..... \$ _____

Signature

Date

OVERVIEW OF PEMBROKE HOUSING AUTHORITY

The Pembroke Housing Authority (PHA) is a federally funded agency that provides subsidized housing to low-income families. Rent payments are determined based on family size and income/assets. The PHA manages five scattered sites that include 243 public housing dwelling units, all within the Town of Pembroke. Applications are taken and processed for housing with a waiting list maintained for eligible families. As units become vacant, the PHA leases the unit to the next applicant on the appropriate waiting list.

The PHA has a very detailed lease for maintaining decent, safe, and sanitary housing for our residents. Lease enforcement is very important and must be done fairly. Each year the PHA evicts families for reasons varying from non-payment of rent to violating controlled substances laws.

The Department of Housing and Urban Development (HUD) regulates us. Our regulations can be found in the Code of Federal Regulations and various notices as published by HUD. The PHA is subject to the ordinances and codes of the Town of Pembroke.

The Authority currently provides for all the routine maintenance and management for all the units. At present, we contract for major modernization of our units regulated by the Capital Fund Program (CFP).