



108 E. Green St.  
Third Floor, City of Ithaca (City Hall)  
Ithaca, NY 14850  
Tel: (607) 274-6565

## **REQUEST FOR PROPOSALS (RFP)**

### **— LEGAL SERVICES —**

### **December 20, 2021**

#### **Background**

The Ithaca Urban Renewal Agency (IURA) is seeking up to three firms or individuals to provide legal services on an independent contractor basis. The IURA is a public benefit corporation tasked with development and implementation of the U.S. Department of Housing & Urban Development Entitlement Program, and other grants and programs on behalf of the City of Ithaca, New York. The City anticipates receipt of approximately \$1 million through the Entitlement Program in 2022, consisting of allocations for CDBG (Community Development Block Grant Program) and HOME (HOME Investment Partnerships Program) to assist housing, public facility, economic development, and public service projects.

The IURA anticipates contracting for services at this time for a combined total of approximately \$25,000.00 in 2022. Contract extensions of up to three years with the selected contractors may be negotiated in the future, based on this RFP, subject to applicable procurement regulations and the needs of the IURA. The amount of contracted services for future years may increase or decrease.

#### **Scope of Services**

The firm or individual will be expected to provide legal services in the following areas:

- Funding Agreements: Drafting, reviewing, and closing funding agreements in compliance with CDBG and HOME regulations
- Loan Agreements: Drafting, reviewing, and closing loan agreements, including filing security/collateral documents
- Real Estate Transactions: Acquisition and sale/lease of real property, including deed restrictions
- Construction Contracts: Review of contracts for construction projects
- Independent Consulting Contracts: Review of contracts for independent consultant services
- Public/Private Partnerships: Structuring and development of preferred developer/sponsor agreements
- Issues related to Federal- or State-funded projects
- IURA organizational assistance
- Insurance issues
- Consultation on other legal matters which may arise

#### **Selection Criteria**

The IURA will rank the proposals received based on an evaluation of:

Relevant Experience & Expertise	30%
References/Past Performance	30%
Cost	30%
Section 3 Qualified*	<u>10%</u>
	100%

The IURA will select, at its option, up to three contractors with which to enter into an agreement for services. The selection will be made in rank order.

## **Proposals**

Proposals should include the following:

1. Background information which describes the nature and history of the firm or individual, including client lists and references.
2. Specific information about the firm or individual's experience and technical expertise, and experience regarding the Scope of Services.
3. Identification of any components of the Scope of Services for which the respondent does *not* seek to provide services. For instance, a respondent may indicate they lack expertise and experience in "real estate transactions," therefore, they will exclude this component of the Scope of Services from their proposal.
4. Identification and resumés of person(s) who will provide services.
5. Names and contact information for references, if the respondent has no past record of services to the IURA within the past five years.
6. Schedule of costs for services to be provided, including hourly rates, identification of categories of anticipated reimbursable expenses, and method of calculation of reimbursable expenses.
7. Section 3 certification, if claiming Section 3 status.

## **Submission Procedures**

1. Proposals should be addressed to:

Charles Pyott, Contracts Monitor  
Ithaca Urban Renewal Agency  
108 E. Green St.  
Ithaca, NY 14850

Proposals may be e-mailed to [cpyott@cityofithaca.org](mailto:cpyott@cityofithaca.org) or faxed to (607) 274-6558 to meet the deadline, if a follow-up hard copy is mailed the same day.

Proposals should be received by the IURA no later than: 3:00 P.M., JANUARY 14, 2022.

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\* The purpose of Section 3 of *The Housing and Urban Development Act of 1968* (12 U.S.C. 1701u) (Section 3) is to ensure employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be directed to low- and very-low income individuals, especially recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very-low income individuals. ("Section 3" means Section 3 of the Housing and Urban Development Act of 1968, as amended 12 U.S.C. 1701u).

A business concern seeking to qualify for a Section 3 contracting preference shall certify or submit evidence that the business concern qualifies as a Section 3 business concern. A Section 3 Business Concern is a business concern that is: (1) fifty-one percent (51%) or more owned by Section 3 residents; or (2) whose permanent full-time employees include persons of whom at least thirty percent (30%) are currently Section 3 residents, or were Section 3 residents within three years of the date of first employment with the business concern; or (3) provides evidence of a commitment to sub-contract in excess of twenty-five percent (25%) of the dollar award of all sub-contracts to be awarded to business concerns that meet the qualifications set forth in items (1) or (2) above.

For purposes of the City of Ithaca, a Section 3 resident is: (1) a public housing resident; or (2) an individual who lives in the City of Ithaca and whose income falls within the guidelines for low- or very low income.

Section 3 certification forms are ATTACHED.

## **Miscellaneous**

1. It is anticipated remuneration for contracted services will be funded in whole or in part by Federal funds. Contract agreements will therefore be subject to all applicable Federal regulations.
2. The IURA recognizes the Scope of Services represents a wide variety of legal services. Consequently, respondents may seek to provide legal services only for specific areas identified in the Scope of Services. The submitted proposal should explicitly identify any exclusion from the Scope of Services. The IURA seeks to address the entire Scope of Services through the selection of up to three independent contractors.
3. The IURA reserves the right to reject any or all proposals; to negotiate any elements of a proposal; to conduct interviews at its sole discretion; and to solicit and/or select contractors for the program outside the Scope of Services of the Request for Proposals (RFP).
4. The IURA assumes no responsibility or liability for costs incurred by respondents to this RFP, including any requests for additional information, interviews, or negotiations.
5. Additional information regarding this RFP may be obtained at the address shown above, or by calling: (607) 274-6565.



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## Application for Certification as Section 3 Resident

This form is to be used by individual persons requesting to be certified as a Section 3 Resident for purposes of Section 3 employment opportunities created on HUD-funded construction projects in the City of Ithaca.

Name: _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State Zip: _____	

I hereby certify I am a person of low- or moderate-income and a Section 3 Resident because (check one):

- I am a Section 3 Resident because I currently reside in a public housing unit owned by the Ithaca Housing Authority.
- I am a Section 3 Resident because I am a City of Ithaca resident and my family income is 80% or less than the median income for the area (see attached City of Ithaca MSA family income limits).
- I am a person experiencing homelessness in the City of Ithaca.

Employment Skills – To help link you with appropriate employment opportunities, please describe your construction skills or experience:  _____  _____
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### CERTIFICATION

I hereby certify all of the information provided above is true and correct, and I agree to provide acceptable documentation, if requested, that confirms the accuracy of my residency, family size and income, and employment skills. Further, I authorize the IURA to release my name and contact information for the purposes of future employment opportunities on HUD-funded construction projects in the City of Ithaca.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

(Return this completed form to the IURA, 108 E. Green St., Ithaca, NY 14850, [cpyott@cityofithaca.org](mailto:cpyott@cityofithaca.org).)



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## Section 3 Resident Family Income Limits

### City of Ithaca, NY Metropolitan Statistical Area (MSA)

2021-22

	Household Income					
	1 person	2 persons	3 persons	4 persons	5 persons	6 persons
<b>80% Median Income</b>	\$50,200	\$57,400	\$64,550	\$71,700	\$77,450	\$83,200

The City of Ithaca, NY MSA includes all of Tompkins County. These figures are updated annually by the U.S. Department of Housing & Urban Development (HUD) and available at: [www.huduser.org](http://www.huduser.org). Revised annual income limits are normally released in June.



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## Application for Certification as a Section 3 Business

This form is to be used by businesses requesting to be certified as a Section 3 Business for purposes of Section 3 contracting opportunities created on HUD-funded construction projects in the City of Ithaca.

Business Name: _____	Phone Number: _____
Business Address: _____	E-Mail: _____
City, State Zip: _____	

I hereby certify that the above named business is a Section 3 Business because (check one):

- I am a Section 3 Resident and have 51% or more ownership of the business. (Attach a completed application for certification as a Section 3 Resident.)
- I am the primary owner of the business and at least 30% of my full-time, permanent workforce are currently Section 3 Residents, or were Section 3 Residents within 3 years of date of first employment with the business. (Attach a payroll listing all current full-time employees and completed applications for certification as a Section 3 Resident for all employees claiming Section 3 status.)
- I am the primary owner of a business who commits to award subcontracts on a HUD-assisted construction project(s) located in the City of Ithaca to qualified Section 3 businesses for at least 25% of the total dollar amount of the contract. (Attach a list of subcontracted Section 3 businesses and subcontract amount.)

<b>Business Information:</b>
Date business established: _____ Federal Tax ID#: _____
Legal status of business (check one): <input type="checkbox"/> sole proprietor <input type="checkbox"/> corporation <input type="checkbox"/> partnership <input type="checkbox"/> limited liability
List construction trade(s) or services offered by the business: _____ _____

### CERTIFICATION

I hereby certify all the information provided above is true and correct, and I agree to provide acceptable documentation, if requested, that confirms the accuracy of my statements. Further, I authorize the IURA to release my name and contact information for the purposes of future contracting opportunities on HUD-funded construction projects in the City of Ithaca.

Owner's Name (PRINT): \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Return this completed form to the IURA, 108 E. Green St., Ithaca, NY 14850, [cpyott@cityofithaca.org](mailto:cpyott@cityofithaca.org).)