

# REQUEST FOR PROPOSALS



**Due: 2/19/25 by 10:00 AM**

## RAD SPECIAL LEGAL SERVICES

Newton Housing Authority  
32 Liberty Street  
Newton, New Jersey 07860  
973-383-5191(opt.2)

## REQUEST FOR PROPOSAL

The Newton Housing Authority (hereafter called the Authority) is hereby soliciting proposals for the **Special Legal Services** as it pertains to the conversion of Liberty Towers under HUD's Rental Assistance Demonstration Program (RAD).

The legal work encompasses the conversion of Liberty Towers, 32 Liberty Street, Newton, New Jersey through HUD's Asset Repositioning Program. Liberty Towers will be converting from the Public Housing Program (Section 9) to Project Based Vouchers (Section 8). The building currently includes 80 units of senior public housing. The Housing Authority has been issued a CHAP and is in the process of preparing its Financing Plan. The Special Legal Services attorney will assist the Housing Authority in the conversion process, specifically with the closing after HUD issuance of the RAD Conversion Commitment (RCC).

All proposals must be submitted by 10:00 AM (prevailing time) on Wednesday, February 19th, 2025, to the Newton Housing Authority, 32 Liberty Street, Newton, New Jersey 07860, Attention: William F. Snyder. **NO LATE PROPOSALS WILL BE ACCEPTED.**

This proposal is being solicited through a Fair and Open process in accordance with N.J.S.A. 19:44A.20.4 et seq.

Interested firms should contact the Authority at the above address, visit NHA website: <https://newtonhousingauthority.com>, or call (973) 383-5191 (Opt. 2) to obtain a copy of the RFP and all necessary information for submitting a proposal.

No proposal shall be withdrawn for a period of **sixty (60) days** without the written consent of the Authority. The Authority reserves the right to reject any and all proposals and to waive any informalities in the proposal process.

Date: January 22, 2025

By: WILLIAM F. SNYDER  
Executive Director

## REQUEST FOR PROPOSAL

In accordance with N.J.S.A. 40A:11-4.1 et seq. the Newton Housing Authority will accept proposals for "Special Legal Services." for the conversion of Liberty Towers under HUD' Rental Assistance Demonstration Program. It is the Housing Authority's desire to retain and employ a duly qualified Attorney or law firm to act as General Counsel in all legal matters which may arise in connection with this conversion. All legal services must be provided in accordance with the existing laws, rules, orders, directives, and regulations promulgated by the United States Department of Housing and Urban Development, provided that such compliance is in the best interest of the Authority and are required by law.

The Newton Housing Authority (hereinafter referred to as the "NHA" or the "Authority") provides affordable housing and housing opportunities to low-income individuals. The Authority currently owns and manages 80 units of senior public housing known as Liberty Towers and located at 32 Liberty Street, Newton, New Jersey. The Housing Authority is interested in rehabilitating this property per HUD's Rental Assistance Demonstration Program (RAD/Blend for Small Housing Authorities).

### **1. SCOPE OF LEGAL SERVICES**

The scope of legal services being requested will be as follow:

- (a) Work with the Town of Newton to ensure that the PILOT agreement is maintained in accordance with the New Jersey Long Term Abatement law (40A-20-1).
- (b) Perform/obtain all required title work for submission to HUD.
- (c) Prepare all necessary documents to effectuate HUD approvals and closing documents necessary to effectuate the conversion.
- (d) Prepare/Review all restrictive covenants (deed restrictions) and record all necessary documents
- (e) Provide all legal opinions necessary to effectuate the conversion.
- (f) Review financing documents & loan agreement
- (g) Review RAD Conversion Commitment (RCC) & any Special Conditions
- (h) Coordinate the release of the Declaration of Trust (DOT)
- (i) Prepare and revise the Project Based Voucher (PBV) Contract Administrator Agreement as necessary



- (j) Prepare all required closing certifications & opinions
- (k) Coordinate closing to occur within 90 days of issuance of the RCC or HUD approved extension
- (l) Prepare & submit all "3-day docs" within 3 days of RAD closing
- (m) All other legal work necessary to effectuate the RAD closing.

All costs associated with the items contained in the "Scope of Services" should be itemized. The Housing Authority reserves the right to reject any and all proposals received for these services. It also reserves the right to terminate the contract, for convenience, at any time during the term of the contract.

## **2. QUALIFICATIONS**

- a) Must be licensed to practice law in the State of New Jersey.
- b) Should have experience representing other Housing Authorities and an understanding of HUD funded programs and related federal regulations.
- c) Should be fully versed in HUD Asset Repositioning Programs.
- d) Must be approvable by the United States Department of Housing and Urban Development.

## **3. PROPOSAL SUBMISSION**

All qualified candidates interested in submitting a proposal for "Special Legal Services" should submit an original and two copies of a written proposal based upon hourly rates and a not-to-excess fee. All fees must be reasonable and contain an itemization of any requested reimbursables. The proposal should describe the candidate's qualifications and experience representing housing authorities and similar entities and should address those matters identified in the Competitive Proposal Evaluation System included herein.

A copy of the RFP rating system is attached.

The proposal should also include:

- 1. A signed Stockholder Disclosure Certification
- 2. A signed Non-collusion Affidavit
- 3. A Business Registration Certificate

4. The resumes of individuals who propose to represent the Authority and at least five recent references (housing authorities most preferred, similar business next preferred) which contain business name, address, telephone number and name of contact person.

All proposals should be placed in a sealed envelope marked: "Proposal for RAD Special Legal Services" and delivered to the Newton Housing Authority, 32 Liberty Street, Newton, New Jersey on or before February 19th, 2025, by 10:00 AM.

This RFP is being solicited through a Fair and Open process in accordance with N.J.S.A. 19:44A-20.5 et seq. All proposals received will be publicly opened at 10:00 am on February 19th, 2025, in the Community Room at Liberty Towers, 32 Liberty Street, Newton, New Jersey 07860.

4. **PROPOSAL REVIEW**

In Accordance with N.J.S.A. 40A:11-4.1 all proposals will be reviewed and evaluated according to the "Competitive Proposal Evaluation System" attached hereto. The Authority will rank proposals and award a contract to the highest ranked offeror. Said contract shall be subject to earlier termination in the sole discretion of the Authority.

**COMPETITIVE PROPOSAL EVALUATION SYSTEM**

Prepared by: \_\_\_\_\_

Type of Service: Special Legal Services

Name/Address of Respondent: \_\_\_\_\_

- 1) **Demonstrated experience and competence representing Housing authorities completing Asset Repositioning** (20 Points) \_\_\_\_\_
- 2) **Familiarity with the specific types of programs administered By the Newton Housing Authority.** (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 in asset repositioning** (20 Points) \_\_\_\_\_
- 5) **Firm's Equal Opportunity Policy. Each bidder must ensure that all employees and applicants for employment are not discriminated against because of race, color, religion, sex or national original.** (10 Points) \_\_\_\_\_
- 6) **Price.** (10 Points) \_\_\_\_\_

**Total Point Score:**

Narrative Review of Proposal:

## FIRM'S EQUAL OPPORTUNITY POLICY STATEMENT

Each proposer must submit statement ensuring that all employees and applicants for employment are not discriminated against because of race, color, religion, sex, or national origin.

## BUSINESS REGISTRATION CERTIFICATE

Contractors submitting a bid to the Housing Authority of Newton are required to be registered with the State and provide proof of that registration under P.L. 2004 c.57.

The purpose of the contractor registration is to ensure that all businesses and their subsidiaries receiving government contracts are registered with the State Division of Revenue and pay appropriate sales and use, and other taxes. While sales and use taxes are not paid on government contracts, the requirement to register to obtain government contracts obligates them to comply with the law on non-government contracts.

Below is a sample copy of the form, which must be submitted with Bid Documents.

**Failure to Submit these Documents is Mandatory cause for the Bid to be Rejected.**

STATE ( )	
<b>BUSINESS REGISTRATION CERTIFICATE FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS</b>	
DEPARTMENT OF TREASURY/ DIVISION OF REVENUE PO BOX 252 TRENTON, N.J. 08646-0252	
TAXPAYER NAME: <b>TAX REGISTRATION TEST ACCOUNT</b>	TRACE NAME: <b>CLIENT REGISTRATION</b>
TAXPAYER IDENTIFICATION#: <b>970-097-382/500</b>	SEQUENCE NUMBER: <b>0107330</b>
ADDRESS: <b>847 ROEBLING AVE TRENTON NJ 08611</b>	ISSUANCE DATE: <b>07/14/04</b>
EFFECTIVE DATE: <b>01/01/01</b>	<i>J.P. Tully</i> Acting Director
FORM-BRC(02-01)	This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.



**HOUSING AUTHORITY of NEWTON  
Form of Non-Collusive Affidavit**

**AFFIDAVIT**

State of New Jersey  
County of Sussex

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 \_\_\_\_\_ of the firm of \_\_\_\_\_  
(Title of Position) (Name of Firm)

the party making the foregoing proposal or bid entitled **Legal Services as it pertains to Ordinary Legal Services**, 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 **HOUSING AUTHORITY OF NEWTON** 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 before me:**

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Notary Public of \_\_\_\_\_

My commission expires \_\_\_\_\_ 20\_\_\_\_\_.

**S E A L**



**NEWTON HOUSING AUTHORITY**

**STATEMENT OF OWNERSHIP**

**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

**NEWTON HOUSING AUTHORITY  
STATEMENT OF OWNERSHIP (Continued)**

**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: \_\_\_\_\_

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Subscribed and sworn before me:**

\_\_\_\_\_

Affiant

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Print Name & Title of Affiant

(Notary Public)

My Commission expires:

(Corporate Seal)

**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:** \_\_\_\_\_



**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)**  
**N.J.A.C. 17:27**  
**GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2 or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus,



colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Contract Compliance and EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance and EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

## **AMERICANS WITH DISABILITIES ACT OF 1990**

### **Equal Opportunity for Individuals with Disability**

The contractor and the Housing Authority of Newton, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (*42 U.S.C. 5121 01 et seq.*), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim, If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees, and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.