

RESOLUTION NO. _____

**APPROVAL OF RUSSELL CHOICE NEIGHBORHOODS REAL ESTATE
LEGAL CONSULTANT SERVICES CONTRACT**

Item No. 5d

WHEREAS, the U.S. Department of Housing and Urban Development provided the Louisville Metro Housing Authority (LMHA) Capital Funds to be utilized in conjunction with the Russell Choice Neighborhoods program for legal services; and

WHEREAS, LMHA staff prepared a Request for Proposals to acquire the needed Russell Choice Neighborhoods legal services and advertised the project in The Courier-Journal, The Louisville Defender, and the Housing Agency Marketplace and on September 29, 2020 proposals for providing the requisite services were received and evaluated; and

WHEREAS, the evaluation process determined that the proposal submitted by Stites & Harbison, PLLC (real estate consultation) is the most acceptable proposal for the work to be performed, and staff recommends award of the them.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter into the Russell Choice Neighborhoods Real Estate Legal Consultant Services Contracts with Stites & Harbison, PLLC for a fee not to exceed \$200,000.

RESOLUTION BACKGROUND STATEMENT

APPROVAL OF RUSSELL CHOICE NEIGHBORHOODS REAL ESTATE LEGAL CONSULTANT SERVICES CONTRACTS

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I. STATEMENT OF FACTS:

The U.S. Department of Housing and Urban Development provided the Louisville Metro Housing Authority (LMHA) Capital Funds to be utilized in conjunction with the Russell Choice Neighborhoods program for legal services. In 2015, LMHA awarded a contract to Stites & Harbison, PLLC (real estate consultation) to provide the requisite legal services to accommodate the Russell Choice Neighborhoods program. The contract will expire in January 2021; however, the need for legal services will continue for the duration of the project.

Consequently, in order to accommodate LMHA's need for real estate legal services, and in accordance with LMHA's procurement policy, a "Request for Proposals – Legal Consultant For The Russell Choice Neighborhoods Implementation" was issued to prospective offerors. Proposals were received on September 29, 2020 from the following firms:

- Coats Rose P.C.
- Reno & Cavanaugh, PLLC
- Stites & Harbison, PLLC

The proposals were reviewed utilizing the following criteria:

- Experience & Qualifications
- Timeliness
- Mixed-Finance Development
- Dealing with Locality Project Requirements
- Fee

The proposals were reviewed by the Procurement Committee, which included three staff members and the LMHA Board Attorney. Due to the ongoing complexities of the project and in conjunction with the evaluation scoring, it was determined that the use of Stites & Harbison, PLLC (real estate consultation) should continue. Staff has been pleased with the performance of Stites & Harbison, PLLC and they are highly qualified to provide the legal services needed for this project.

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II. ALTERNATIVES:

- A. Approve award of Russell Choice Neighborhoods Real Estate Legal Consultant Services Contract to Stites & Harbison, PLLC in an amount not to exceed \$200,000.
- B. Do not approve award of the contracts at this time.

III. RECOMMENDATION:

Staff recommends Alternative "A".

IV. JUSTIFICATION:

- Stites & Harbison, PLLC has been working on the Russell Choice Neighborhoods project since inception and they are infinitely familiar with the project. They will provide continuity and consistency to a very complex endeavor.
- The proposal submitted by Stites & Harbison, PLLC was responsive and responsible.
- Stites & Harbison, PLLC is qualified to perform the needed services as demonstrated by their current and past experiences as well as projects performed for LMHA. They have provided real estate legal services to LMHA for the Park DuValle, Liberty Green, and Sheppard Square HOPE VI projects. They have also provided consultation on miscellaneous legal issues as the need has arisen.
- The hourly fees proposed by Stites & Harbison, PLLC have been reviewed by staff and found to be reasonable and acceptable.

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V. BUDGET APPROVAL:

Funding for this project is provided from HUD Capital Funds to be utilized in conjunction with the Russell Choice Neighborhoods program for legal services.

Angela Larsson, Director of Finance

Date

VI. PROCUREMENT CERTIFICATION:

The procurement of this contract is in compliance with the Louisville Metro Housing Authority's procurement policies and procedures.

Steve Webb, Purchasing Agent

Date

Prepared and Submitted by: Bernard Pincus, Director
Choice Construction Implementation Department
December 15, 2020