



## **REQUEST FOR QUALIFICATIONS FOR OUTSIDE COUNSEL**

**Issued November 5, 2021 by:  
MAINE STATE HOUSING AUTHORITY**

**PROPOSAL DEADLINE: NOVEMBER 30, 2021 AT 5:00 P.M.**

Maine State Housing Authority (“MaineHousing”) is an independent state agency that bridges public and private housing finance, combining them to benefit Maine’s low and moderate-income people. The mission of MaineHousing is to assist Maine people in obtaining and maintaining decent, safe, and affordable housing and services suitable to their unique housing needs.

Through this Request for Qualifications (“RFQ”), MaineHousing is seeking submissions of interest from qualified attorneys or law firms to be placed on a list of potential outside counsel to perform legal work for MaineHousing. The list may be maintained by MaineHousing for up to five years. Minority businesses and women’s business enterprises are encouraged to respond to this RFQ.

### **Background**

MaineHousing was created in 1969 by the Governor and the Legislature with the goal of providing “decent, safe and sanitary dwellings, apartments or other living accommodations” for individuals and families who could not afford such housing without financial assistance. MaineHousing has broad powers and duties; it is a \$2.0 billion financial institution that operates as a housing finance agency, a public housing authority, a low income housing tax credit agency, and the administrator of a variety of state and federal programs (including rental assistance, energy assistance, weatherization, and homeless initiatives). More information can be found at MaineHousing’s Website: <http://www.mainehousing.org>

### **Scope of Work**

MaineHousing has an internal legal staff that is responsible for providing all legal services to MaineHousing other than bond counsel work, which is handled by a national law firm. From time to time, MaineHousing retains outside counsel to assist with heavy work flow, to guard against an appearance of conflict of interest, or to provide specialized expertise.

Placement on MaineHousing’s list of qualified outside counsel does not guarantee that a firm or attorney will be retained to provide services. Outside legal services will be used on an as-needed case-by-case or matter-by-matter basis.

MaineHousing anticipates that the need to hire outside counsel to perform services could arise in one or more of the following areas:

- (1) Closing complex financing of multi-family projects, which may include tax-exempt bond financing, low income housing tax credits, HUD HOME Investment Partnerships Program

funds, tax increment financing, construction financing, Rural Development financing, HUD Housing Assistance Payments contracts, and other sources of funds.

- (2) Closing of supportive housing projects, which may include HUD Section 8 Project-based Vouchers and other federal and state subsidies.
- (3) Conflict of interest matters.
- (4) Employment law.
- (5) HIPAA.
- (6) Fair housing.
- (7) Tax law.
- (8) Bankruptcy matters.
- (9) Administrative and regulatory law.
- (10) Litigation.
- (11) Other legal matters.

### **Submission of Proposals.**

In submitting qualifications and interest, any party responding to the RFQ (“Respondent” or “Respondents”) must:

- (1) Identify each practice area that Respondent wishes to be considered for in this process.
- (2) With respect to each practice area, describe the relevant qualifications of each attorney who will be assigned to the representation in that area.
- (3) Include information on the hourly billing rates of each attorney and other legal staff expected to work on this representation; charges for expenses, if any, such as travel, phone calls, legal research, copies, and overnight mailings; or other possible fee arrangements.
- (4) State whether Respondent, any principal of Respondent, or anyone who will be paid for work on the project for or with Respondent has business ties, familial relationships, or other close personal relationships with a current MaineHousing employee or commissioner or anyone who was a MaineHousing employee or commissioner within the past year. If there is such a relationship, provide details.
- (5) Include a statement regarding Respondent’s commitment to equal opportunity, diversity and inclusivity in internal hiring practices and policies, and regarding working relationships with women- and minority-owned firms, if applicable.
- (6) Include copy of Equal Opportunity/Affirmative Action Policy, if Respondent has one.
- (7) Submit the response by email to Linda Uhl, Chief Counsel, at [luhl@mainehousing.org](mailto:luhl@mainehousing.org) by 5:00 pm on November 30, 2021.

### **Selection Criteria**

No formal scoring of proposals will be done. Relevant experience, quality of work, and commitment to controlling costs will be considered. In the event that services are needed, MaineHousing will award specific work on a case-by-case basis to the Respondent whose response is determined by MaineHousing to be most advantageous to MaineHousing for that matter.

## Additional Terms and Conditions

This RFQ is subject to the following terms and conditions:

- (1) MaineHousing expressly reserves the right to modify or withdraw this RFQ at any time, whether before or after any responses have been submitted or received.
- (2) MaineHousing reserves the right to reject and not consider any or all Respondents who do not meet the requirements of this RFQ, including but not limited to incomplete responses and/or responses offering alternate or non-requested services.
- (3) MaineHousing reserves the right to reject any or all Respondents, or to terminate the RFQ process at any time, if deemed to be in its best interest.
- (4) MaineHousing reserves the right to negotiate price or other factors included in any proposal submitted to MaineHousing in response to the RFQ.
- (5) MaineHousing reserves the right to require Respondents to submit references or to meet with MaineHousing representatives.
- (6) MaineHousing reserves the right to request that a particular lawyer work on any particular matter.
- (7) Maine Housing will not pay reimbursement for any costs and expenses incurred by Respondents relating to the preparation of submissions responsive to the RFQ or for any costs or expenses incurred during any subsequent negotiations.

Any questions concerning this RFQ may be directed to Linda Uhl, MaineHousing, by phone at 207-626-4656 or Maine Relay 711 or by email at [luhl@mainehousing.org](mailto:luhl@mainehousing.org).

*MaineHousing does not discriminate on the basis of race, color, religion, sex or gender, sexual orientation, gender identity or expression, national origin, ancestry, disability, age, familial status, marital status or receipt of public assistance in the admission or access to or treatment in its programs and activities. MaineHousing will provide appropriate communication auxiliary aids and services upon sufficient notice. MaineHousing will also provide this document in alternative formats upon sufficient notice. MaineHousing has designated the following person responsible for coordinating compliance with applicable federal and state nondiscrimination requirements and addressing grievances: Lauren Bustard, Maine State Housing Authority, 26 Edison Drive, Augusta, Maine 04330-6046, Telephone Number 1-800-452-4668 (voice in state only), (207) 626-4600 (voice) or Maine Relay 711.*