

RESOLUTION NO. \_\_\_\_\_

**APPROVAL OF GENERAL AND REAL ESTATE PROFESSIONAL  
LEGAL SERVICE CONTRACT WITH STITES & HARBISON, PLLC.**

**Item No. 5f**

WHEREAS, the Louisville Metro Housing Authority (LMHA) periodically requires general and real estate legal services; and

WHEREAS, funds have been received from multiple funding sources for LMHA to accommodate legal services when required in the course of agency operations; and

WHEREAS, LMHA staff prepared a Request for Proposal to acquire the needed General and Real Estate Professional Legal Services and advertised the project in The Courier-Journal, The Louisville Defender, and the Housing Agency Marketplace and on February 23, 2021 proposals for providing the requisite services were received and evaluated; and,

WHEREAS, the evaluation process determined that the proposal submitted by Stites & Harbison, PLLC is the most acceptable proposal for the work to be performed, and staff recommends award to 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 General and Real Estate Professional Legal Services Contract with Stites & Harbison, PLLC in the amount not to exceed \$250,000.

## RESOLUTION BACKGROUND STATEMENT

### APPROVAL OF GENERAL AND REAL ESTATE PROFESSIONAL LEGAL SERVICE CONTRACT WITH STITES & HARBISON, PLLC.

#### Item No. 5f

#### **I. STATEMENT OF FACTS:**

The Louisville Metro Housing Authority (LMHA) periodically has the need for various legal services. LMHA has multiple funding sources available to accommodate legal services, when required, in the course of agency operations. If legal services are required, the cost will be allocated to the appropriate fund based on the project involved.

In accordance with LMHA's Procurement Policy, a "Request for Proposals" (RFP) was issued to prospective offerors. The RFP was advertised on February 10, 2021 in The Courier Journal, the Housing Agency Marketplace and LMHA's Website; and on February 11, 2021 in The Louisville Defender; reaching at least 519 companies that we can confirm received an "invitation for bids" as follows:

MBE / African-American Business Enterprise	95 (18%)
MBE / Asian Indian-American Business Enterprise	7 (1%)
MBE / Asian Pacific-American Business Enterprise	6 (1%)
MBE / Hasidic Jew Business Enterprise	1 (0%)
MBE / Hispanic American Business Enterprise	37 (7%)
MBE / Native American Business Enterprise	5 (1%)
MBE / Woman-owned Business Enterprise	115 (22%)
DBE / Disabled-owned Business Enterprise	10 (2%)
NONE (Not MBE, WBE or DBE-owned)	330 (63%)
SECTION 3 Business	17 (3%)

From the 519 companies listed above, a total of 12 companies downloaded and reviewed the RFP.

Proposals were received on February 23, 2021 from the following firms:

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

The proposals were reviewed by the Procurement Committee (Angela Larsson, Bernard Pincus, Jeff Ralph and Norma Ward) utilizing the following criteria:

- Experience and Qualifications
- Fee
- Timeliness

## RESOLUTION BACKGROUND STATEMENT

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#### **I. STATEMENT OF FACTS (cont.'d):**

- Knowledge of HUD Regulations, Development Standards, and public housing
- satisfaction with clients
- Dealing with Locality Project Requirements

The Procurement Committee found the proposal submitted by Stites & Harbison, PLLC was the most acceptable proposal for the work to be performed; additionally, this firm currently holds a professional legal service contract with LMHA. Staff has been pleased with the performance of Stites & Harbison, PLLC and they are highly qualified to provide the legal services needed under this RFP.

#### **II. ALTERNATIVES:**

- A. Approve award of the General and Real Estate Professional Legal Services Contract with Stites & Harbison, PLLC in the amount not to exceed \$250,000.
- B. Do not approve award of the contract at this time.

#### **III. RECOMMENDATION:**

Staff recommends Alternative "A".

#### **IV. JUSTIFICATION:**

- Stites & Harbison, PLLC is qualified to perform the needed services as demonstrated by their current and past experiences, and based upon projects performed for LMHA.
- This firm has satisfactorily provided real estate legal services to LMHA for Beecher Terrace Choice, Park DuValle, Liberty Green, and Sheppard Square HOPE IV projects, as well as for other real estate transactions, consultation on miscellaneous legal issues as the need has arisen.

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#### IV. JUSTIFICATION (cont.'d):

- The proposal submitted by Stites & Harbison, PLLC was responsive and responsible.
- The hourly fees proposed by Stites & Harbison, PLLC have been reviewed by staff and found to be reasonable and acceptable.
- Stites & Harbison, PLLC, which traces its origins to 1834 and is one of the oldest firms in the nation, is committed in promoting an inclusive and diverse workplace using the firm's Diversity Action Plan that includes entry-level recruitment, lateral recruitment, retention and advancement and community outreach. They have also established a program called SWIFT to enhance female attorney mentoring, peer support, networking opportunities and diversity efforts throughout the firm.
- Stites & Harbison, PLLC will have a dedicated team of 16 attorneys, of which two are African American, one is Hispanic, and three are female; with a combined experience of approximately 342 years.

#### V. BUDGET APPROVAL:

Funding for this contract will be sourced from the program related to a specific project.

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Angela Larsson, Director of Finance

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Date

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**VI. PROCUREMENT CERTIFICATION:**

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

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Steven Webb, Purchasing Agent

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Date

Prepared and Submitted by: Norma Asyn Ward, Director  
Capital Improvements  
March 16, 2021