



**EAST BATON ROUGE REDEVELOPMENT AUTHORITY
REQUEST FOR PROPOSALS (RFP) TO PROVIDE LEGAL SERVICES**

ISSUE DATE: Tuesday, August 2, 2022

PROPOSAL DUE DATE: Friday, August 26, 2022

(Late proposals will not be accepted)

Point of Contact:

Tara Titone, Interim President & CEO/ COO, RDA

All contacts and inquiries shall be made in writing by email to:

ttitone@buildbatonrouge.org

This RFP is posted on the following website:

www.buildbatonrouge.org

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I. INTRODUCTION

The East Baton Rouge Redevelopment Authority (“**RDA**”), doing business as “Build Baton Rouge”, was statutorily created by the Louisiana State Legislature in 2009 as the redevelopment authority for the City-Parish of East Baton Rouge. The mission of RDA is to bring people and resources together to promote equitable investment, innovative development, and thriving communities across all of Baton Rouge (“**RDA Mission**”). The RDA acts through its five (5) member Board of Commissioners (“**Board**”). Three members are appointed by the Mayor-President of Baton Rouge, one by the Baton Rouge Area Foundation and one by the Baton Rouge Area Chamber.

Additional information about RDA may be found on the agency’s website at:
www.buildbatonrouge.org.

II. OVERVIEW

The authority’s jurisdiction is all of East Baton Rouge Parish, including the municipalities of Baker, Baton Rouge, Central, and Zachary. BBR’s priorities are to develop and revitalize areas, drive economic impact through equitable investment, and advance partnerships to build community-wide capacity. In furtherance of the RDA Mission, the RDA formulates programs, using private and public resources to eliminate and prevent spread of slums and blight, encourage rehabilitation, and provide for the redevelopment of slums or blighted areas and seeks out cooperative endeavors, including partnerships, joint ventures, and equity participation structures, with nonprofit organizations and private enterprises.

A Special District and Political Subdivision of state of LA (corporate and political body), the authority has broad and unique statutory powers and may undertake the following:

- Acquire property by donation, grant, purchase, and lease to hold and use as necessary to carrying out the objectives of the authority;
- Sell and lease for a term of up to ninety-nine years, exchange, or dispose of/transfer land to other political subdivisions of this state or public or private persons at public or private sales to accomplish the objectives and purposes of the authority;
- Develop, activate, construct, exchange, acquire, improve, repair, operate, maintain, lease, mortgage, sell, or appropriate property for any public purpose, including industrial, residential, subdivision, and commercial development;
- Plan, develop, regulate, operate, and maintain activities and planned land uses to foster creation of new jobs, economic development, industry, health care, general public and social welfare;
- Levy and collect ad valorem taxes and sales taxes within designated boundaries of the Authority;
- Purchase property at a tax sale;
- Incur debt and issue general obligation and revenue bonds to acquire, purchase, lease, construct, or improve housing, residential development, subdivision development, commercial, research, industrial, or other plant sites and buildings, or other capital improvements;

- Borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, as security for such loans; apply for and accept advances, leases, grants, contributions, and any other form of financial assistance from the federal government, the state, parish, or other public bodies, or from any sources, public or private; and
- Undertake and carry out redevelopment projects and related activities.

III. SCOPE OF SERVICES

This Request for Proposals (“RFP”) seeks a law firm (“Firm”) to assist the RDA in actively accomplishing the RDA Mission, including, but not limited to, representation in various aspects of law, such as advising, counseling, and rendering legal opinions to the Board and staff concerning laws related to organization generally and the RDA Mission.

Core Scope of Services. The Firm should have significant experience and expertise in providing the following core scope of services (“**Core Scope of Services**”) to the RDA, its Board and President and CEO:

- 1) organization matters specifically related to a governmental entity;
- 2) public law issues, including, without limitation:
 - The RDA’s enabling legislation;
 - Louisiana Code of Ethics;
 - Louisiana Open Meetings laws; and
 - Louisiana Public Records Act.
- 3) provide general advice related to the day-to-day activities of the RDA, including, without limitation, general contract and risk management advice;
- 4) maintaining general knowledge of the RDA’s operations and legal transactions;
- 5) review and provide opinions as requested by the Board on contracts, legal instruments and/or other public law matters;
- 6) advice regarding new and existing laws related to the RDA;
- 7) assistance in the management of the RDA’s other legal representation related to Special Project Scope of Services described below as a liaison between the RDA and other outside legal counsel; and
- 8) other general legal representation requested by the Board.

Special Projects Scope of Services. With respect to special projects undertaken by the RDA, the Board may wish to retain the Firm or seek legal advice of one or more other firms to perform the following (“**Special Projects Scope of Services**”):

- 1) real estate-based transactions, including transaction documentation, transaction diligence, permitting, servitudes and other conventional components of a real estate transaction;

- 2) real estate title matters, including quiet of title actions;
- 3) construction contracting and financing;
- 4) governmental grant and loan programs;
- 5) tax credit transactions, including, without limitation, new market tax credits, historic rehabilitation tax credits and low-income housing tax credit programs;
- 6) cooperative endeavor agreements and other similar public benefit transaction documents;
- 7) formation and administration of special taxing districts;
- 8) dispute resolution, mediation and litigation involving the RDA;
- 9) employment issues;
- 10) insurance issues;
- 11) seeking Attorney General opinions; and
- 12) other specific project legal representation requested by the Board.

The ideal Firm may have expertise and experience in all of these areas; however, it is probable that the RDA will consider engaging more than one firm to ensure the right levels of expertise and/or price-point. In light of this, Firms are asked to explicitly indicate components of the Core Scope of Services and the Special Projects Scope of Services ("**Scope Components**") in which their experience is strongest and, importantly, be candid to identify which tasks that the Firm has less experience and expertise.

IV. REQUIRED INFORMATION

Instructions: If you are interested in participating in this RFP process, prepare a response to this request by the date and time listed above. The response should provide separate information on the proposed team and the Firm's experience in supporting each individual Scope Components.

In your discretion, you are welcome to refrain from responding on one or more Scope Components where your firm lacks material experience or does not wish to submit a response. The RDA may award this bid by acceptance of any proposal received without further negotiations or discussions or award a contract after further interviews with the finalist Firms.

Initial proposals in response to this RFP, therefore, should set forth the most favorable terms and conditions that you are prepared to offer.

As a governmental entity, it is not likely that an applicant Firm will be successful in submitting a proposal with its "standard" rates. The RDA will consider alternative fee arrangements for the Firm, including, a retainer, deeper discounted rates for some Scope Components and lesser for others.

A proposal may be rejected if it does not include the following required information and documents:

A. Basic Information

- 1) Background information, such as number of attorneys in the Firm, location of all offices, telephone number and e-mail address of the primary staff personnel who are anticipated to provide services to the RDA, firm descriptions/brochures, resumes and organizational charts should be included.
- 2) Provide a specific description of the Firm's relevant experience and expertise for each Scope Component, including, without limitation:
 - a. The specific attorney or attorneys who will serve as lead for each Scope Component with a bio of each and their relevant experience and expertise;
 - b. Specific project and/or client experience and expertise for each Scope Component;
- 2) Indicate whether legal services have been provided previously to any other state, local or federal entities, with an emphasis on governmental entities similar to the RDA ("**Other Governmental Entities**"). If so, list and describe any and all work performed including (a) the date(s) such work was performed and (b) the entity for which such work was performed.
- 3) Identify and provide contact information for the person(s) in the firm who will be RDA's primary point(s) of contact and provide resumes for such person(s). After a selection is made, primary point(s) of contact may not be changed without RDA's approval.
- 4) Provide the firm's standard hourly billing rate structure and proposed discounted rate for each named attorney that may provide legal services for each Scope Component.
- 5) If the Firm is a State-certified Minority and Women-owned Business Enterprise (MWBE) or Disadvantaged Business Enterprise (DBE) firm, provide documentation evidencing certification. Law firms that are not certified, but have applied for certification, should provide evidence of filing, including the filing date.
- 6) Provide a brief general description of what distinguishes the Firm in connection with this proposed representation

Provide the information in the same order in which it is requested. The proposal must be limited to 25 pages, in at least 12-point font, with standard margins printed on one-sided 8 ½ X 11-inch pages.

V. SCHEDULE OF DATES

Release of RFP	Tuesday, August 2, 2022
Deadline to Submit Questions	Friday, August 12, 2022 - 5:00 PM CDT
Posting of Answers to Questions	Wednesday, August 17, 2022
Submission of Proposals	Friday, August 26, 2022 - 5:00 PM CDT
Selection of Successful Respondent	Week of August 29, 2022

RDA reserves the right to modify this schedule at its discretion.

Notification of changes in connection with this RFP will be made available via the website at:

www.buildbatonrouge.org

VI. SELECTION CRITERIA

In evaluating proposals submitted pursuant to this request, RDA and its' Board will consider the following factors:

- 1) Relevant firm experience in redevelopment and the qualifications and experience of the attorneys proposed to be assigned to the Core Scope of Services (30%).
- 2) Relevant firm experience in redevelopment and the qualifications and experience of the attorneys proposed to be assigned to the Special Project Scope of Services (20%).
- 3) Relevant firm experience in redevelopment and the qualifications and experience of the attorneys proposed to be assigned representing Other Governmental Entities (20%):
- 4) Fee proposal and scale of discount (10%).
- 5) Overall organization, completeness, and quality of proposal, including cohesiveness, clarity of response and demonstrated understanding of BBR, its mission and activities (10%).
- 5) Diversity of the attorneys with relevant experience and expertise proposed to provide services to the RDA (10%).

Eligible respondents must have a Baton Rouge office.

VII. SUBMISSION OF PROPOSALS

Proposal submissions must be received by BBR on or before 5 PM CDT on Friday, August 26, 2022. The submission should be labeled “**RDA Counsel RFP Response**” and mailed to the following address:

Build Baton Rouge
Attn: Tara Titone
P.O. Box 148
Baton Rouge, LA 70821
Re: Counsel RFP Response

The submission should include three (3) hard copies of the information and other items required by this RFP, **and** one digital copy on flash drive or sent via email to ttitone@buildbatonrouge.org (PDF format required).

VIII. QUESTIONS

All questions, comments, requests for clarification or any other communication regarding this RFP must be submitted in writing *no later than Friday, August 12, 2022, at 5:00 P.M. CDT* by email to: ttitone@buildbatonrouge.org. Answers will be posted no later than Wednesday, August 17, at 5:00 P.M. CDT via RDA's website at www.buildbatonrouge.org

In addition, any changes, additions or deletions to this RFP will also be posted on the website, along with the electronic version of this RFP. Respondents should note that any necessary clarification must be requested by the deadline for questions set forth in the “**Schedule of Dates**” section in this RFP.

Respondents are encouraged to check the website frequently for notices of any clarification of or changes, additions, or deletions to this RFP. It is the responsibility of the Proposer to periodically check the website for any new information or addenda to the RFP.

Other than the contact web address identified above, prospective respondents shall not approach or make any contact whatsoever with the Board and/or the RDA staff during the restricted RFP period process about any matters related to this RFP or any qualifications submitted pursuant thereto. This will result in grounds for RFP termination.

IX. GENERAL PROVISIONS

The issuance of this RFP and the submission of a response by a Firm or the acceptance of such a response by RDA does not obligate RDA in any manner. RDA reserves the right to:

- 1) Amend, modify or withdraw this RFP;
- 2) Revise any requirement of this RFP;
- 3) Waive any requirements of this RFP that are not material;
- 4) Seek clarifications and revisions of responses to this RFP;
- 5) Require supplemental statements or information from any responsible party;
- 6) Accept or reject any or all responses to this RFP;
- 7) Extend the deadline for submission of responses to this RFP or otherwise modify the schedule set forth in this RFP;
- 8) Negotiate potential contract terms (including, among other things, the hourly billing rate structure and its application and MWBE/DBE participation) with any respondent to this RFP;
- 9) Engage in discussions with any respondent to this RFP to correct and/or clarify responses;
- 10) Require clarification at any time during the procurement process and/or require correction of responses for the purpose of assuring a full and complete understanding of a respondent’s proposal and/or determine a respondent’s compliance with the requirements of the solicitation; and
- 11) Cancel, or reissue in whole or in part, this RFP, if BBR determines in its sole discretion that it is its best interest to do so.

RDA may exercise the foregoing rights at any time without notice and without liability to any responding Firm or any other party for its expenses incurred in preparation of responses hereto or otherwise. All costs associated with responding to this RFP will be at the sole cost and expense of the responding Firm.

All information submitted in response to this RFP is subject to Louisiana Public Records Law, which generally mandates the disclosure of documents in the possession of RDA upon the request of any

person unless the content of the document falls under a specific exemption to disclosure. In addition, all responses may be discussed at meetings of the Board, which are subject to the Open Meetings Law.