



ADDENDUM #1

Request for Proposals
General Legal Services
Solicitation No. 2019-7003

Addendum 1 – Issued March 19, 2019

To Offerors:

The following additions, deductions, changes and corrections to the proposal and specifications for the above referenced project shall hereby be incorporated into the work, and their affect on the proposal shall be reflected in the Offeror's proposal. Offerors shall also verify this fact by indicating the receipt of the addendum in their proposal.

CHANGE:

Attachment H has been revised to include language required by HUD for legal services. The revised Legal Services Engagement Agreement is attached.

In RFP Section 2.1.8.1.1 is revised to:

The Authority intends to create an inventory (or “pool”) of Firms to provide legal services. The Pool will consist of various Firms which will be available on an as-needed basis to provide Services as requested by the Authority and the actual number of participants chosen will depend on the number of qualified proposals received.

QUESTIONS:

1. Does the real estate work described in this RFP deal with the development work procured in the 2018 RFP for Construction, Real Estate and Development Activities (Solicitation Number 2018-4004)? **CMHA has several solicitations/contracts for legal services. This particular solicitation is for general legal services and includes some aspects of real estate, collection, construction, and other civil legal services. A more particularized contract is**

1627 WESTERN AVENUE, CINCINNATI, OHIO 45214

Phone: (513) 333-0670 Fax: (513) 977-5606 TDD: (513) 977-5807 Website: www.cintimha.com

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2018-4004 which is dedicated to construction, real estate, and development activities. In addition to this solicitation, you are encouraged to respond to more particularized solicitations.

2. Who does the Agency's collective bargaining (i.e.: is it handled by outside counsel or is it done in-house)? **Clemans, Nelson & Associates, Inc. is currently contracted for labor negotiator (Contract 2017-5502).**
3. It is noted that the State Employment Relations Board's website lists two of the Agency's three collective bargaining agreements as having expired in December 2017 (Building Trades Council and AFSCME Local 8) with no updated current contracts. What is the status of the collective bargaining agreements with these units? **Negotiations are ongoing with American Federation of State, County and Municipal Employees (AFSCME) Local 1027. Contracts have been reached with The Building Trades and International Union of Operating Engineers (IUOE).**
4. Does the Agency anticipate that the Department of Housing and Urban Development's Rental Assistance Demonstration ("RAD") Program will impact its organizational structure and its collective bargaining relationships with represented employees? **Yes, however the impact has not been determined.**
5. Does the Agency use a Third Party Administrator ("TPA") in the handling of workers' compensation claims? If so, how does the Agency view the respective roles of its TPA and outside counsel in the handling of workers' compensation claims? **Yes, the TPA for workers compensation handles administration of workers compensation claims from a cost perspective and advises the Agency on the best ways to control workers compensation costs. The TPA also provides representation at Industrial Commission hearings. The TPA would advise the Agency if outside counsel was needed at Industrial Commission hearing. This happens if there is a legal argument that needs to be made or if there will be a cross examination at the hearing.**
6. How many accounts receivable have been pursued by legal means each of the last 3 years? **CMHA does not track this information.**

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7. Of those A/Rs, how many have been assigned to outside counsel for collection each of the last 3 years? **CMHA does not track this information.**
8. What is the range of amounts due for the A/Rs to be collected? **CMHA does not track this information.**
9. What is the average percentage collected on the A/Rs? **CMHA does not track this information.**
10. How is the decision made for staff counsel to prosecute collection of the A/Rs or assign them to outside counsel? **The accounts are reviewed at the time the tenant departs from CMHA housing. Accounts in excess of \$2000 are assigned to collection counsel**
11. What percentage of the A/Rs are to be collected outside Hamilton County? **CMHA does not track this information. Please be advised that the majority of the housing authority's cases will be in Hamilton County.**
12. Does CMHA consider eviction proceedings to be part of "collection proceedings?" **No. Eviction proceeding are deemed to be a separate matter from the collection proceedings.**
13. If yes, how many eviction proceedings were prosecuted each of the last 3 years (a) by staff counsel, and (b) by outside counsel? **Eviction proceedings are handled by staff counsel, unless there is a particular conflict of interest. CMHA will use outside counsel for eviction proceedings involving its commercial tenants.**
14. If yes, how is the decision made for staff counsel to prosecute eviction proceedings or to assign them to outside counsel? **Eviction proceedings are handled by staff counsel, unless there is a particular conflict of interest. CMHA will use outside counsel for eviction proceedings involving its commercial tenants.**
15. What percentage of tenants who owe rent to CMHA file bankruptcy petitions? **CMHA does not track this information.**

16. How quickly are accounts assigned for collection to outside counsel after a tenant defaults? **The accounts are reviewed at the time the tenant departs from CMHA housing. Accounts in excess of \$2000 are assigned to collection counsel.**
17. How many months must a tenant be in default before the account is assigned for collection? **The accounts are reviewed at the time the tenant departs from CMHA housing. Accounts in excess of \$2000 are assigned to collection counsel.**
18. What type of due diligence is conducted before renting a unit to a tenant? (this goes to collectability as well as possible nondischargeability if in bankruptcy and the tenant submitted a false financial statement in writing, although I don't think that type of litigation is contemplated). **Please be advised that the applicant for low income housing may have credit issues. These issues do not preclude eligibility for CMHA housing. CMHA screens its applicants for housing eligibility and not for credit-worthiness. The screening criteria is incorporated into the agency's Admissions and Occupancy Policy.**
19. What percentage of judgments are taken by default? **CMHA does not track this information. However, all cases are filed in Hamilton County.**
20. Does CMHA use collection software, and if yes, which software? **No.**