

**LOUISIANA HOUSING FINANCE AGENCY
REQUEST FOR QUALIFICATIONS
NONPROFIT REBUILDING PILOT PROGRAM
LOAN PREPARATION AND CLOSINGS
November 18, 2009**

Key Proposal Dates

Date Issued	November 18, 2009
Last Day to Submit Qualifications	December 4, 2009

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I. ANNOUNCEMENT

**LOUISIANA HOUSING FINANCE AGENCY
REQUEST FOR QUALIFICATIONS
NONPROFIT REBUILDING PILOT PROGRAM
LOAN PREPARATION AND CLOSINGS
November 18, 2009**

The Louisiana Housing Finance Agency (the “Agency”) hereby gives notice that it is seeking qualifications from attorneys currently licensed to practice law in the State of Louisiana, who specialize in real estate law and who have demonstrated experience in preparing legal documents, loan closings and problem resolution with real estate problems. These attorneys are to be placed into a pool of Contractors to act on behalf of the Agency to provide such services each home in the Nonprofit Rebuilding Pilot Program completed as per the program description. The homes for this program will be located in Cameron Parish, Calcasieu Parish, Jefferson Parish, Orleans Parish, Saint Bernard Parish, St. Tammany Parish, Washington Parish and Plaquemine Parish.

A. Qualification Submittal Information

1. Interested parties may obtain a Request for Qualifications (RFQ) by submitting their Name, Title, Firm, Street Address, City, State, Zip, Telephone Number, Fax Number, and e-mail Address to LHFA at the address below or by visiting the LHFA’s web page at www.lhfa.state.la.us

Louisiana Housing Finance Agency
2415 Quail Drive
Baton Rouge, LA 70808
Attn: Charlette Minor
Re: Nonprofit Rebuilding Pilot Program
Loan Preparation and Closings
Loan Voice: 225.763.8700
Website: www.lhfa.state.la.us
E-mail: cminor@lhfa.state.la.us

2. Deadline for RECEIPT of Qualifications. Qualifications in their entirety must be received at the Agency no later than 4:00 P.M. on **December 4, 2009**.
3. Qualifications may not be delivered by facsimile transmission or other electronic means. **Three (3) paper copies** of the Qualifications shall be submitted.

4. Qualifications arriving after the deadline will not be accepted. Please be advised that Qualifications arriving by mail through delivery, including but not limited to Fed Ex, UPS, or the United States postal service, after the 4:00 P.M. deadline will not be accepted for any reason.

B. Submittal of Documents:

1. Submit documents by delivering or mailing to the Agency address stated in Section I (A).
2. Proposers assume the risk of the method of dispatch chosen.
3. Each delivered Qualification and accompanying documents shall be submitted in a sealed envelope. The outside of the envelope shall be marked and identified as follows:

Attn: Charlette Minor
Re: Nonprofit Rebuilding Pilot Program
Loan Preparation and Closings
Qualifications Enclosed
Proposer/Company Name and Return Address

4. The Proposer is fully responsible for any costs associated relating to the Qualifications.

C. Qualification Requirements:

The Proposer shall respond to all requirements in accordance with the terms and conditions, description, information, instructions, and all sections and schedules:

1. Agree with the terms and conditions of this **RFQ**.
2. Comply with the requirements of and submit information and documentation (including executed forms), as required by this **RFQ**.
3. Properly execute the **Qualification**.
4. Be knowledgeable of, and comply with, applicable local, state, and federal laws, regulations, codes, permits and ordinances.
5. Comply and document compliance with the insurance requirements of each applicable Parish, if applicable.
6. Meet and comply with all other requirements specified in this **RFQ**.

D. Option to Reject Any and All Qualifications

This announcement does not commit the Agency to award a contract or to pay costs incurred in the preparation of responses. Furthermore, the Agency reserves the right to accept or reject, in whole or in part, all Qualifications submitted and/or to cancel this announcement.

II. Purpose

A. Purpose of RFQ

The Proposer shall perform the following services (“the “services” or “project”):

1. Preparation of all legal documents (forms, applications, Purchase agreements, Promissory Notes, Mortgages and other related documents).
2. Conduct all necessary real estate closings on properties in the Nonprofit Rebuilding Pilot Program.
3. Provide legal advise and services to resolve various problems which might arise in the Nonprofit Rebuilding Pilot Program.
4. The functions to be performed by the attorney will be equivalent to those services ordinarily performed in carrying out real estate-related legal activities. The services will be engaged on an “as needed” basis. The attorney will work closely with the Louisiana Housing Finance Agency staff to carry out all necessary legal services. The agreement resulting from this RFP will be on a fixed-price basis for each type of legal service rendered.

Evaluation Procedures

All RFQ submissions will be reviewed to determine if they meet the mandatory requirements. Those RFQ submissions not meeting the mandatory requirements will be deemed “non-responsive”. The “responsive” RFQ submittals will be evaluated and ranked.

The Agency reserves the right to not make a selection of “responsive” Qualifications should it believe that respondents to the RFQ will be incapable of delivering the necessary level of services within an acceptable price range and/or time period. The Agency also reserves the right to reject any and all Qualifications submitted in response to the RFQ and to enter into negotiations with the respondents to the RFQ as may be necessary or appropriate to refine the scope of services, fee arrangements, or any other aspect of the services to be provided hereunder. The Agency reserves the right to negotiate any line item on the Qualification.

The Agency will produce public records within the constraints of LA. R. S. Title 44.

B. Distribution of RFQ

Notice of this RFQ is being distributed to individuals and firms that the Agency believes may be interested in responding to this RFQ. Notice of this RFQ is being published in "The Advocate", "The Times-Picayune" and posted to the LHFA website: www.lhfa.state.la.us.

III. Qualification Guidelines

A format for the Proposer's response to this Request for Qualifications is indicated below. These guidelines are intended to facilitate the review and evaluation of the Proposer's responses. Proposers are required to follow these guidelines. Proposers will be graded on each category set forth in the guidelines. Overly lengthy Qualifications are discouraged; however, the proposal at a minimum shall include the information listed below. **Please provide three (3) copies of the Qualifications.**

A. Guidelines for Qualifications Shall Include the Following Mandatory Requirements:

1. Proposer's complete name, business address, telephone number and e-mail address as well as the name, mailing address, telephone number, and e-mail address the Agency should contact regarding the Qualifications.
2. A description of the Proposer's organization, including names of directors, managers/principals, number of employees, longevity, client base, areas of specialty and expertise and any other pertinent information that will assist in formulating an opinion about the stability and financial strength of the organization.
3. Provide a summary of any material inquiries, investigations or litigation occurring during the past two years (including those in progress) regarding the conduct of your company, your company's management, or any employee or official associated with your company. Describe any related actions taken against your company or employees by any federal, state or municipal governmental entity or court or regulatory authority, including fines, suspensions, censure, etc. The proposer/company must currently be in good standing with the Agency.
4. Three (3) references for which Proposer performed similar services of similar scope in the past three years. Include the organization name and address, name and telephone number of the contact person, and a brief description of the services performed.
5. A plan and specifications for implementation of the services.

6. A timeline for the completion of the required services.
7. The functions to be performed by the attorney will be equivalent to those services ordinarily performed in carrying out real estate-related legal activities. The services will be engaged on an “as needed” basis. The attorney will work closely with the Louisiana Housing Finance staff to carry out all necessary legal services. The agreement resulting from this RFP will be on a fixed-price basis for each type of legal service rendered. Provide a cost estimate.
8. Provide signed copy of Statement of Assurances (Attachment A “Statement of Assurances”).

B. Contact Prohibitions

It is the express policy of the Agency that prospective respondents to this RFQ refrain from initiating any direct or indirect contact or communication with Agency staff or members of the Agency’s Board of Commissioners with regard to selection. Any violation of this policy will be considered a basis for disqualification.

STATEMENT OF ASSURANCES

This Applicant/GRANTEE/Sub-recipient hereby assures and certifies that:

1. It possesses legal authority to apply for a Community Development Block Grant (“CDBG”) and to execute the proposed CDBG program.
2. Its governing body has duly adopted, or passed as an official act, a resolution, motion, or similar action authorizing the filing of the CDBG application and directing and authorizing the person identified as the official representative of the Applicant/GRANTEE/Sub-recipient to act in connection with the application, sign all understandings and assurances contained therein, and to provide such additional information as may be required.
3. It has facilitated citizen participation by providing adequate notices containing the information specified in the program instructions and by providing citizens an opportunity to review and submit comments on the proposed application.
4. Its chief executive officer, or other officer or representative of Applicant/GRANTEE/Sub-recipient approved by the State:
 - a. Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 (**42 U.S.C.A. §4331, et seq.**) insofar as the provisions of such Act apply to the proposed CDBG Program; and
 - b. Is authorized and consents, on behalf of the Applicant/GRANTEE/Sub-recipient and himself, to submit to the jurisdiction of the federal courts for the purpose of enforcement of Applicant/GRANTEE/Sub-recipient’s responsibilities and his or her responsibilities as an official.
5. It will develop the CDBG program and use CDBG funds so as to give maximum feasible priority to activities that will benefit low and moderate income families, aid in the prevention or elimination of slums or blight, or meet other community development needs having a particular urgency.
6. It will comply with the following applicable federal grant management regulations, policies, guidelines, and/or requirements as they relate to the application, acceptance, and use of federal funds: OMB Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments) as amended and made part of State regulations; A-102 (Grants and Cooperative Agreements with State and Local Governments), as amended and made part of State regulations; OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), revised; OMB Circular A-21 (Cost Principles for Educational Institutions); A-122 (Cost Principles for Non-Profit Organizations); 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments) and 24 CFR Part 84 (Uniform Administrative Requirements For Grants

and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations).

7. It will administer and enforce the labor standards requirements set forth in 24 CFR §570.603 and any other regulations issued to implement such requirements.
8. It will comply with the provisions of Executive Order 11988, as amended by Executive Order 12148, relating to evaluation of flood hazards, and Executive Order 12088, as amended by Executive Order 12580, relating to the prevention, control and abatement of water pollution.
9. It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided to Applicant/GRANTEE/Sub-recipient to comply with the “American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped,” Number A-117.1-R 1971 and any other accessibility requirements, as required by Title III of the Americans with Disabilities Act of 1990 (42 U.S.C.A. § 12101 et seq.). The Applicant/GRANTEE/Sub-recipient will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.
10. It will comply with:
 - a. Title VI of the Civil Rights Acts of 1964, 42 U.S.C. §2000d et seq., as amended, and the regulations issued pursuant thereto (24 CFR Part 1), which provide that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant/GRANTEE/Subrecipient receives federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the Applicant/GRANTEE/Subrecipient, this assurance shall obligate the Applicant/GRANTEE/Subrecipient, or in the case of any transfer of such property, any transferee, for the period during which the property or structure is used for another purpose involving the provision of similar services or benefits.
 - b. Section 104 (b) (2) of Title VIII of the Civil Rights Act of 1968 (**42 U.S.C.A. §3601, et seq.**), as amended, which requires administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing. Title VIII further prohibits discrimination against any person in the sale or rental of housing, or the provision of brokerage services, including in any way making unavailable or denying a dwelling to any person, because of race, color, religion, sex, national origin, handicap or familial status.
 - c. Section 109 of Title I of the Housing and Community Development Act of 1974 (42 U.S.C. §5309), and the regulations issued pursuant thereto (24 CFR Part §570.602), which provides that no person in the United States

shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds provided under that Part. Section 109 further prohibits discrimination to an otherwise qualified individual with a handicap, as provided under Section 504 of the Rehabilitation Act of 1973, as amended, and prohibits discrimination based on age as provided under the Age Discrimination Act of 1975. The policies and procedures necessary to ensure enforcement of section 109 are codified in 24 CFR part 6.

- d. Executive Order 11063, as amended by Executive Order 12259, and the regulations issued pursuant thereto, which pertains to equal opportunity in housing and non-discrimination in the sale or rental of housing built with federal assistance.
 - e. Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts. Further, contractors and subcontractors on federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training and apprenticeship.
 - f. Section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified individual shall, solely, by reason of his or her handicap be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance.
11. It will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. §1701u, Section 3) (24 CFR Part 135), as amended, requiring that to the greatest extent feasible, opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to eligible Section 3 business concerns.
 12. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In addition, it will:
 - a. Comply with Title II (Uniform Relocation Assistance) and Sections 301-304 of Title III (Uniform Real Property Acquisition Policy) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Chapter 61), and HUD implementing instructions at 24 CFR Part 42 and 24 CFR §570.606; and
 - b. Inform affected persons of their rights and of the acquisition policies and procedures set forth in the regulations at 24 CFR Part 42; and

- c. Provide relocation payments and offer relocation assistance as described in Section 205 of the Uniform Relocation Assistance Act to all persons displaced as a result of acquisition of real property for an activity assisted under the CDBG Program. Such payments and assistance shall be provided in a fair, consistent and equitable manner that ensures that the relocation process does not result in different or separate treatment of such persons on account of race, color, religion, national origin, sex or source of income; and
 - d. Assure that, within a reasonable period of time prior to displacement, comparable decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, or source of income; and
 - e. Assure that if displacement is precipitated by CDBG funded activities that require the acquisition (either in whole or in part) of real property, all appropriate benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq., Pub. L. 91-646) and amendments thereto shall be provided to the displaced person(s). Persons displaced by rehabilitation of “Non-Uniform Act” acquisition financed (in whole or in part) with CDBG funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under 24 CFR Section 570.606 (a) and HUD implementing regulations at 24 CFR Part 42; (2) the requirements in 24 CFR Section 570.606 (b) governing the Residential Anti-displacement and Relocation Assistance Plan under Section 104 (d) of the Housing and Community Development Act of 1974; (3) the relocation requirements of Section 104 (k) of the Act; (4) the relocation requirements of 24 CFR Section 570.606 (d) governing optional relocation assistance under Section 105 (a) (11) of the Act; and (5) the provisions of 24 CFR Part 511.10 (h) (2) (iii) rental Rehabilitation Program.
13. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties, in accordance with CDBG regulations.
 14. It will comply with the provisions of the Hatch Act that limit the political activity of employees and the HUD regulations governing political activity at 24 CFR §570.207.
 15. It will give the State and HUD, and any of their representatives or agents, access to and the right to examine all records, books, papers, or documents related to the grant.
 16. It will ensure that the facilities under Applicant/Grantee/Sub-recipient’s ownership, lease or supervision utilized in the accomplishment of the CDBG Program are not listed on the Environmental Protection Agency's (EPA) list of violating facilities and

that it will notify HUD of the receipt of any communication from the EPA Office of Federal Activities indicating that a facility to be used in the CDBG Program is being considered for listing by the EPA as a violating facility.

17. With regard to environmental impact, it will comply with the National Environmental Policy Act of 1969 (42 U.S.C. §4321-4347), and Section 104(f) of the Housing and Community Development Act of 1974 (42 U.S.C. §5304(d)).
18. It will comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended, Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. §469a-1 et. seq.), as amended, by:
 - a. Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800) by the proposed activity; and
 - b. Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.
19. It will comply with the provisions in 24 CFR §570.200(c) regarding special assessments to recover capital costs.
20. It will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent Civil Rights demonstrations and will enforce applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
21. It certifies that no federally appropriated funds will be used for any lobbying purposes regardless of the level of government.
22. It will abide by and enforce the conflict of interest requirement set forth in 24 CFR §570.611, 24 CFR §85.36 and 24 CFR §84.42.
23. It will comply with HUD rules prohibiting the use of CDBG funds for inherently religious activities, as set forth in 24 CFR §570.200(j).
24. Activities involving new building construction, alterations, or rehabilitation will comply with the Louisiana State Building Code.
25. In relation to labor standards, it will comply with:
 - a. Section 110 of the Housing and Community Development Act of 1974, as amended and as set forth in 24 CFR §570.603.
 - b. Davis-Bacon Act, as amended (40 U.S.C. §3141 et seq.).

- c. Contract Work Hours and Safety Standards Act (40 U.S.C. §327 et seq.).
 - d. Federal Fair Labor Standards Act (29 U.S.C. §201 et seq.)
26. It will comply with the flood insurance purchase requirement of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. §4001 et seq., which requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of HUD as an area having special flood hazards. The phrase “federal financial assistance” includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal funding.
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27. It will comply with Sections 1012 and 1013 of Title X of the Housing and Community Development Act of 1992 (Public Law 102–550, as amended). The regulation appears within Title 24 of the Code of Federal Regulations as part 35 (codified in 24 CFR 35). The purpose of this regulation is to protect young children from lead-based paint hazards in housing that is financially assisted by the Federal government or sold by the government. This regulation applies only to structures built prior to 1978.
28. It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6901, et seq.).
29. It will comply with the Clean Air Act (42 U.S.C. §7401, et seq.), which prohibits engaging in, supporting in any way, or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards.
30. In relation to water quality, it will comply with:
- e. The Safe Drinking Water Act of 1974 (42 U.S.C. §§ 201, 300(f) et seq. and U.S.C. §349), as amended, particularly Section 1424(e) (42 U.S.C. §§ 300h-303(e)), which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal draining water source for an area; and
 - a. The Federal Water Pollution Control Act of 1972, as amended, including the Clear Water Act of 1977, Public Law 92-212 (33 U.S.C. §1251, et seq.) which provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation’s water.

31. It will comply with HUD Environmental Standards (24 CFR, Part 51 and 44 F.R. 40860-40866).
32. With regard to wildlife, it will comply with:
 - a. The Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.). Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction of or modification of habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical; and
 - b. The Fish and Wildlife Coordination Act of 1958, as amended, (16 U.S.C. §661 et seq.) which requires that wildlife conservation receives equal consideration and is coordinated with other features of water resource development programs.

Signing these assurances means that Applicant/Grantee/Sub recipient agrees to implement its program in accordance with these provisions. Failure to comply can result in serious audit and/or monitoring findings that require repayment of funds to the State or expending Applicant/Grantee/Sub recipient funds to correct deficiencies.

Name of Organization

Signature of Duly Authorized Representative

Thus signed this date of: _____