



## ***Request for Proposal***

### **LEGAL COUNSEL SERVICES FOR THE NATIONAL ASSOCIATION OF REAL ESTATE BROKERS**

#### ***SUMMARY OF REQUEST***

The National Association of Real Estate Brokers (NAREB), a 501(c)(6) non-profit trade corporation is seeking proposals from highly qualified legal Firms/Attorneys to provide general counsel services for NAREB beginning with fiscal year October 1, 2017. The contract will be for a 1 year period with the option to extend for an additional year.

To be considered, a proposal must be received via email in Adobe Acrobat PDF or Microsoft Word format on or before Friday, July 21, 2017 at 3:00 pm EST at the following email address: [narebsearchcommittee@nareb.com](mailto:narebsearchcommittee@nareb.com).

***Questions should be directed to Antoine Thompson, Executive Director at 301-552-9340.***

#### **I. Background of the National Association of Real Estate Brokers**

The National Association of Real Estate Brokers (NAREB) was formed in 1947 by chartered African American real estate professionals out of a need to secure the right to equal housing opportunities, regardless of race, creed, or color. For more than 60 years, NAREB has participated in meaningful legal challenges and has supported legislative initiatives that ensure the availability of fair and affordable housing for all Americans. The National Association of Real Estate Brokers, (NAREB), is a Real Estate Professional trade organization. We have local chapters across the country who embrace our ideals and mission of “promoting democracy in housing”.

#### **II. SCOPE OF WORK TO BE PERFORMED AND STANDARDS TO BE FOLLOWED**

The firm selected will be responsible for providing the following services for a period of one year with an option to extend the contract for an additional one-year contract period. Services that may be required from the contractor include:

1. Oversight of the Association’s Legal affairs
2. Draft/Review contracts, procurement documents, bidding procedures and other documents arising in the ordinary course of business.
3. The provision of legal advice on:
  - a. individual labor and employment matters,
  - b. government grant and contract issues
  - c. responses to subpoenas, court orders, requests for information from third parties
4. Review of Association policies surrounding personnel, fiscal and other matters as well as association by-laws for legal compliance
5. Attendance at quarterly board of director meetings as well as other committee meetings when requested
6. Defense of lawsuits, administrative claims or other legal claims
7. Conduct of litigation as necessary
8. Review of other documents as requested by the President, Executive Director and Board of Directors.

The General Counsel will make himself/herself available for consultation with NAREB staff members on such matters as they wish to discuss with him/her. Some examples of consultations that may be required include assisting NAREB staff in

- a. maintaining compliance with procurement regulations
- b. developing contracts and other documents
- c. resolving contract disputes
- d. developing board policies and procedures
- e. updating Constitution and by-laws.

The general counsel may be asked to facilitate meetings in person or via telephone or video conferencing.

### **III. PROPOSAL REQUIREMENTS**

The following must be received by the proposal due date or the firm will not be considered:

1. *Title Page* – the title page shall show the proposal subject, the firm’s name, address, contact person, and the firm’s license number and state(s) of license and federal identification number.

2. *Cover Letter* – The cover letter should briefly state the proposer’s understanding of the work to be performed, commitment to perform the work and statements as to why the proposer believes that their Firm is the best qualified firm to perform the engagement.

The cover letter should also include a statement that the offer is a firm and irrevocable offer for 120 days and should be signed by an official of the Firm that is authorized to commit the firm to the contents of the proposal.

3. *Table of Contents*

4. *Firm’s Qualifications*

- a. Qualifications and Related Experience - Sufficient information should be provided regarding qualifications of the firm to provide the requested scope of work.
- b. Provide a listing of non-profit and trade association experience (current and former) over the past 5 years that may be contacted as references. This section should include the nature of the services being provided and a short description of the client. This section should not be more than two pages.

5. *Personnel Qualifications*

- a. General counsel shall be familiar with federal and state procurement laws and regulations as well as laws affecting the operation and finances of trade associations.
- b. Proposer shall submit resume of the proposed Attorney-In-Charge, and the resume of any additional personnel that might be assigned to the engagement. The resume should include a description of the individual’s general qualifications and experience, availability as well as experience in the not-for-profit

and trade association arena, litigation, labor and employment, contracts and contract negotiations, and general business operations.

#### *6. Fees/ Billing and Payment*

The firm shall provide with its proposal the proposed fee including any retainer and hourly rate. The nature of the fee (i.e. fixed, estimated, etc.) and anticipated billing schedule should also be described along with the potential for increase/decrease in subsequent years should the Firm be reappointed.

Services that will incur additional charges should be clearly spelt out. Any additional billings or fees for other service must be preapproved.

#### **IV. Evaluation Criteria**

The below factors will be used when evaluating the proposals. The factors are not listed in order of importance.

- ❖ Responsiveness to Request for Proposal specifications
- ❖ Project cost
- ❖ Qualifications of firm
- ❖ Qualifications and experience of the staff to be assigned to the project
- ❖ References
- ❖ Demonstrated capability to perform the type of work requested

During the evaluation process, NAREB reserves the rights to request additional information or clarifications from proposers and the right to reject any or all proposals. Proposals will be evaluated by a panel and the most qualified firm(s) may be requested to make oral presentations.

Issuance of the Request for Proposal does not commit NAREB to award a contract. NAREB reserves the right to reject any and all proposals, in whole or in part, to waive any formalities, and to re-advertise or to discontinue this process without any prejudice.

There is no expressed or implied obligation for NAREB to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

As a courtesy, we would appreciate a response even if you decline to submit a proposal.