



PHILADELPHIA REDEVELOPMENT AUTHORITY
AS AGENT FOR
THE CITY OF PHILADELPHIA

REQUEST FOR PROPOSALS

**EMINENT DOMAIN LITIGATION SERVICES
SEPTEMBER 30, 2016**

**Contract Opportunity for
Eminent Domain Litigation Services**

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1. Introduction

The Philadelphia Redevelopment Authority (the "PRA"), acting as agent for the City of Philadelphia (the "City"), invites competitive proposals from qualified, licensed and experienced firms to provide legal representation.

The PRA and the City have entered into a contract whereby the PRA may be asked to file a condemnation action on behalf of the City, using the City's powers of eminent domain. The PRA has and will be gathering information required to evaluate, and then, if authorized, to file, a declaration of taking to condemn fee simple title, or a lesser interest such as an easement, in certain parcels of land along the Delaware River. Because the subject condemnation involves only one property owner, the PRA expects that it will select one legal firm.

All work contracted pursuant to this RFP will be directed by the PRA on behalf of the City.

2. Scope of the Work

The PRA seeks professional services providers to assist in its work, or in the event of a conflict, to represent the PRA and the City's interests. The contracting opportunity will entail providing legal representation on behalf of the PRA and the City in eminent domain litigation, including, but not limited to, legal representation before the Board of View and the Court of Common Pleas in any valuation hearing; legal representation on any challenge to the declaration of taking, miscellaneous related matters arising in connection with the condemnation of property and other matters as may be required.

Minimum Qualifications

Attorneys proposing to work on these matters must be licensed and admitted to the bar in Pennsylvania or other appropriate jurisdictions and tribunals and have demonstrated expertise and experience in the types of matters requiring services. Only applications of individual attorneys will be considered. Attorneys that are part of law firms are welcome to apply, however, the attorney from the firm should submit, not the law firm, and be able to demonstrate past work experience with the Pennsylvania Eminent Domain Code.

Standard Compensation Rates

For legal services, the PRA will pay no more than \$225.00/Hour blended rate. Attorneys should state what rates will be comprised of the blended cap rate.

For some situations, work may be done on a flat fee basis, if the PRA determines that this would be more cost effective.

Proposals will be reviewed to determine the most responsive proposal in accordance with the evaluation/selection criteria listed below. Services will be requested from successful applicants when and as needed during the term of the contract.

3. Schedule

The timeline for this Contract Opportunity is as follows:

Event	Date
Notice of Contract Opportunity Posted	September 30, 2016
Questions and/or Requests for Additional Information Due	October 7, 2016
Proposals Due	October 14, 2016
Respondent(s) Selected	October 21, 2016
Contract Executed	November 7, 2016

These dates are estimates only and the PRA reserves the right, in its sole discretion, to alter this schedule as it deems necessary or appropriate.

4. Proposal Requirements

Proposals must include:

- Names of individuals performing the work; briefly describe each individual's role, include a resume for each individual. Please provide a rate, state what rates may be, noting the cap blended rate of \$225.00/Hour.
- Proposals must also include the statement that the consultant is able to comply with the PRA's insurance requirements attached as Attachment A. Please note that although the PRA's insurance requirements may conflict with the insurance requirements set forth in the City's Professional Services Contract General Provisions for Legal Services, the PRA insurance requirements set forth in Attachment A shall govern this legal services contract.

5. Evaluation/Selection

The PRA intends to award a contract to an applicant who demonstrates the level of experience, skill and competence required to perform the services called for in this RFP in the most efficient, cost-effective, and professional manner. The successful respondent will be willing to work pursuant to the City's contract terms and conditions which include – without limitation – non-discrimination requirements, indemnification of the City and the PRA, insurance coverage in accordance with the requirements indicated in Attachment A and cost principles. The successful respondent will execute a contract with the PRA, as agent for the City, which will include the City's Professional Services Contract General Provisions for Legal Services. The PRA reserves the right not to award a contract as a result of this RFP, or to award a contract for part of this scope.

The PRA will be guided by the following criteria in making a selection for award, and will use its professional judgment in determining which respondents best serve the interests of the PRA and the City:

- Superior ability or capacity to meet particular requirements of this contract opportunity and needs of the PRA and the City.

- Superior prior experiences of various scales; demonstrated relative strength, reputation and successful experience providing services.
- Eligibility under Philadelphia Code provisions relating to campaign contributions.
- Compliance with PRA and City standards for contracting, such as indemnification and non-discrimination.
- Competence and proven track record working with private sector, governments and development organizations.
- Administrative and operational efficiency, requiring less PRA oversight and administration.
- Demonstrated ability to meet timelines and milestones.
- Any other factors the PRA considers relevant to the evaluation of the responses from applicants.

6. Declarations and Other Information

MBE/WBE/DBE Firms: The PRA strongly encourages and promotes the employment of qualified MBE/WBE/DBE firms in all aspects of its procurement of goods and services. If applicant is a Certified M/W/DBE, defined as Minority Business Enterprises ("MBE"), Woman Business Enterprises ("WBE"), or Disabled Business Enterprises ("DSBE"); please submit information to confirm Certification as part of bid proposal.

City of Philadelphia Professional Services Contract General Provisions for Legal Services: The contract awarded pursuant to this RFP will substantially and materially contain the requirements and provisions as set forth in Attachment B.

Tax Clearance and Conflict of Interest Form: Respondents, upon request of the PRA, must provide evidence satisfactory to the PRA that all municipal taxes, including business taxes, real estate, school, water and sewer charges, if applicable, are current for both the individual applicant and the applicant's firm and neither is currently indebted to the City; will at any time during the term of the agreement be indebted to the City, for or on account of any delinquent taxes, liens, judgments, fees or other debts for which no written agreement or payment plan satisfactory to the City has been established. Please complete the Philadelphia Tax Status Certification and Conflict of Interest form (Attachment C) and submit it with your proposal.

Campaign Contribution Disclosure Forms: Please complete the applicable disclosure forms (Attachment D) and submit with your proposal.

Insurance Requirements: Please submit a certificate of insurance evidencing the required coverages as outlined in Attachment A with your proposal. Please note that although the PRA's insurance requirements may conflict with the insurance requirements set forth in the City's Professional Services Contract General Provisions for Legal Services, the PRA insurance requirements set forth in Attachment A shall govern this legal services contract.

Reservation of Rights:

By submitting a proposal in response to this RFP, an Applicant affirmatively acknowledges: (i) its acceptance of the terms and conditions of this RFP; (ii) the PRA may exercise in its sole discretion the following rights; and (iii) the PRA may exercise the following rights at any time and without notice to any Applicant:

1. to reject any and all proposals;
2. to supplement, amend, substitute, modify or re-issue the RFP with terms and conditions materially different from those set forth here;

3. to cancel this RFP with or without issuing another RFP;
4. to extend the time period for responding to this RFP;
5. to solicit new proposals;
6. to conduct personal interviews with any Applicant to assess compliance with the selection criteria;
7. to request additional material, clarification, confirmation or modification of any information in any and all proposals;
8. to negotiate any aspect of a proposal, including price;
9. to terminate negotiations regarding any and all proposals at any time;
10. to expressly waive any defect or technicality in any proposal;
11. to rescind a selection prior to contract execution if the PRA determines that the proposal does not conform to the specifications of this RFP;
12. to rescind a selection prior to contract execution if the PRA determines that the specifications contained in this RFP are not in conformity with law or that the process in selection of a proposal was not in conformity with law or with the legal obligations of the PRA;
13. in the event a contract is awarded, the successful Applicant or Applicants shall procure and maintain during the life of the contract liability insurance in an amount to be determined prior to the award of any contract;
14. in the event a contract is awarded, all Applicants agree to perform their services as an independent contractor and not as an employee or agent of the PRA or the City;
15. in the event a contract is awarded, all Applicants agree that no portion of performance of the contract shall be subcontracted without the prior written approval of the PRA; and
16. each Applicant agrees to indemnify, protect and hold harmless the PRA and the City from any and all losses, injuries, expenses, demands and claims against the PRA or the City sustained or alleged to have been sustained in connection with or resulting from (i) the submission of the Applicant's proposal; (ii) the delivery by the Applicant to the PRA of any other documents or information; and (iii) any other conduct undertaken by the Applicant in furtherance of or in relation to the Applicant's proposal. Each Applicant agrees that its duty to indemnify and hold harmless shall not be limited to the terms of any liability insurance, if any, required under this RFP or subsequent contract.

7. Application Process

Applicants must submit proposals to the PRA no later than **October 14, 2016, 3:00 PM**; absolutely no proposals will be accepted after that time.

An applicant, whether an individual, partnership, LLC, non-profit, for profit or other business entity, may submit only one response to this RFP. Individuals that are related to each other or business entities that are legally related to each other or to a common entity may not submit separate proposals. The PRA, in its sole and absolute discretion, retains the right to reject any proposal where: 1) applicants or principals of applicants are substantially similar or substantially related parties; or 2) the PRA has determined that the applicant has violated these conditions or the spirit of these conditions.

Proposal submission will be accepted as follows:

1. Online Submission – via PRA’s website (<http://www.philadelphiaredevelopmentauthority.org/>);

Or

2. Hard Copy Submission - Applicants may hand deliver or send proposals via registered mail to:

Ryan D. Harmon, Esq.
General Counsel
Philadelphia Redevelopment Authority
1234 Market Street, 16th Floor
Philadelphia, PA 19107
Phone: 215-854-6500

Contact for Additional Information

All questions and requests for additional information should be directed in writing to Ryan D. Harmon, Esq., at ryan.harmon@pra.phila.gov. Questions will only be accepted until **October 7, 2016**.