

CITY OF ALAMEDA RENT PROGRAM

**City of Alameda Rent Control, Limitations on Evictions
and Relocation Payments to Certain Displaced Tenants
Ordinance
(Ordinance No. 3250)**

REQUEST FOR QUALIFICATIONS/PROPOSALS FOR HEARING OFFICER SERVICES

July 27, 2021

Page 1 of 7

City of Alameda Rent Program
Request for Qualifications and Proposals – Hearing Officer Services

**CITY OF ALAMEDA RENT PROGRAM
RFQ/RFP FOR LEGAL SERVICES**

The City of Alameda Rent Program is soliciting proposals from qualified providers (“Providers”) to provide hearing officer services under the City of Alameda Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants Ordinance (Ordinance No. 3250), codified in the Alameda Municipal Code, beginning at Section 6-58.010, as well as with other rent-related ordinances, policies and regulations that the City Council may adopt in the future to implement Ordinance No. 3250 (See Attachments 1 and 2).

This RFP/RFQ may be obtained online at <https://www.alamedaca.gov/BUSINESS/Bid-on-City-Contracts>. One (1) original and two (2) copies of the sealed proposals must be mailed, hand-delivered, or sent electronically to the City Attorney’s Office no later than 4:00 p.m. on August 9, 2021, at the following address:

Attn.: John D. Lê, Assistant City Attorney
Alameda City Attorney’s Office
2263 Santa Clara Avenue, Room 280
Alameda CA 94501
jle@alamedacityattorney.org

The initial contract shall extend for the remainder of the current 2021-22 Fiscal Year and shall remain in place until terminated.

Any questions or requests regarding this RFP/RFQ may be submitted in writing to John D. Lê, Assistant City Attorney at jle@alamedacityattorney.org.

Below is a proposed schedule for this RFP/RFQ for Legal Services. The City of Alameda reserves the right to alter the following schedule as necessary.

<u>Event</u>	<u>Proposed Deadline</u>
RFP/RFQ Issued	July 27, 2021
Proposals Due	August 9, 2021 at 4:00 p.m.
Initial Review	Week of August 17, 2021
Interviews (tentative, if necessary)	Week of August 24, 2021
Announcement of Selected Providers	Week of August 31, 2021

INTRODUCTION

The City of Alameda is soliciting proposals for hearing officer services on an as-needed basis to schedule hearings, review evidence, conduct hearings, prepare written decisions, and perform related services under the City of Alameda Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants Ordinance (Ordinance No. 3250), other rent related ordinances and resolutions, and regulations, rules and policies that the City Council adopts.

The Rent Program is charged with implementation of Ordinance No. 3250 and related regulations, which applies to roughly 14,928 rental units in the City (See Attachment 3). Under Ordinance No. 3250, landlords and tenants may file a petition with the Program Administrator to request an upward or downward adjustment of the Maximum Allowable Rent or Certified Rent, other petitions as provided in adopted Regulations, and appeals as provided therein. The City of Alameda seeks qualified candidates to fulfill this Rent Program requirement. Providers are expected to be members of the California Bar at the time of service.

It is anticipated that the City will select multiple, qualified providers pursuant to this RFQ/RFP.

SCOPE OF SERVICES

Providers awarded a contract under this RFP/RFQ will be expected to conduct hearings and prepare written decisions based thereon under Ordinance No. 3250 and related regulations.

Provider's services may include:

- Coordinating hearing scheduling with City and Rent Program staff;
- Reviewing case documentation;
- Conducting hearings, hearing testimony and evidence from parties regarding factual issues;
- Preparing a written determination making a decision, which sets forth the legal and evidentiary basis for the decision, in addition to conducting legal research as appropriate; and
- Performing all other work necessary for the effective handling of the City's administrative hearings under Ordinance No. 3250 and related regulations.

Providers will confirm the absence of conflicts before undertaking any new matters for the City. Additionally, consent from the City will be required before representing another client in any matter directly adverse to the City (e.g., transactions, negotiations, proceedings, or other representations involving specific parties).

All hearings will be conducted in English and with the assistance of foreign language interpreters provided on an as-needed basis. The number of hearings each month varies. A contract awarded under this RFP/RFP will not obligate the City to assign the contractor hearings.

Providers shall provide a detailed invoice for services rendered each month, including the case number, hearing date, time incurred and hourly rate.

The City will provide hearing rooms (physical or virtual), use of copy equipment, documents, materials and equipment necessary for carrying out hearings. The locations and times of said hearings will be designated by the City. Ordinarily, hearings will be conducted virtually, but may be conducted in person Monday through Thursday between the hours of 8:00 a.m. and 6:00 p.m. at Alameda City Hall located at 2263 Santa Clara Avenue. Once a hearing is accepted, however, the Providers will be required to provide hearing officer services.

SUBMISSION INSTRUCTIONS

Individuals responding to this RFP/RFQ ("Respondents") are required to mail, hand-deliver, or send electronically

one (1) original and two (2) copies of their proposal no later than August 9, 2021 at 4:00 p.m. to the Alameda City Attorney's Office, as noted above.

Mailed or hand-delivered proposals must be in a sealed envelope marked with the Respondent's name, address, and telephone number.

The City of Alameda reserves the right to extend the time for receipt of proposals.

PROPOSAL SUBMISSION REQUIREMENTS AND CRITERIA

The proposal shall be formatted as follows:

- I. **Letter of Interest.** A cover letter introducing the Respondent and expressing interest in providing the services set forth in the scope of services.

- II. **Individual, Firm or Organization Information.** Respondent shall:
 - Discuss past experience and ability to provide hearing officer services, and particularly, where applicable for rent control jurisdictions.
 - Provide the date and the number of consecutive years Respondent has provided such services.
 - Provide the name and address of all municipal organizations or programs to which the Respondent has provided such in the San Francisco Bay Area or other jurisdiction, any significant municipal or public entity clients located elsewhere, and other professional engagements that may impact timely and competent provision of the services noted in the scope of services above.

- III. **Minimum Qualifications.** Respondents must meet the following minimum requirements. Respondents unable to meet the minimum requirements will be disqualified from further consideration.
 - A Juris Doctor degree and a license to practice law in the State of California.
 - Minimum five (5) years of experience as a hearing officer or as an attorney representing clients before administrative decision makers such as hearing officers, city councils, county boards of supervisors, and/or city commissions in the State of California, preferably including rent stabilization law related experience.
 - Possess a City of Alameda business license or be able to obtain one.

- IV. **Professional Services Agreement; Exceptions to the Specifications.** Provide a statement that Respondent has reviewed the City's standard Professional Services Agreement (Attachment 4) and is able to meet the requirements in the Agreement with specific attention to the insurance requirements. Untimely exceptions to the proposal specifications or the Professional Services Agreement are waived.

EVALUATION PROCESS

- I. **Phases of Evaluation.** Proposals will be reviewed by committee in four general phases:

- a. All proposals will be evaluated based on the proposal submission requirements and criteria.
- b. The Committee shall rate and compose a short list of Providers based on the submission requirements and criteria.
- c. Fee proposals will be reviewed and evaluated.
- d. The Committee may require an interview of Respondents (and key personnel).

The proposal(s) which is found to be the most advantageous in serving the interests of the Rent Program, with price and all evaluation factors considered, will be awarded contract with the City of Alameda.

II. Technical Evaluation Criteria

- a. **Experience with rent control or landlord-tenants laws.** Demonstrated professional qualifications, education, and training. Must have at least two (2) years of minimum previous experience with local or state landlord-tenant laws.

Preference given to Respondents with experience in jurisdictions with rent control/stabilization and/or just cause for eviction policies.

- b. **Experience as a hearing officer.** Demonstrated ability to (a) conduct high quality administrative hearings; (b) prepare cogent and concise hearing decisions in a timely manner. Identify the number and describe the complexity of administrative hearings you have conducted.
- c. **References.** Please provide three (3) references for similar work requested in the scope of services set forth above.

III. Fee Proposal

Please include the amount the Respondent will charge by an hourly rate for each category of legal services. This rate shall be fixed throughout the duration of the contract.

The fee proposal, although secondary to the technical evaluation criteria consideration above, will be considered in determining the proposals most advantageous to the City of Alameda; however as technical evaluation points become more equal, price may become the determining factor. While the fee proposal has no numerical weight, it is a criterion in the overall evaluation of proposals. The fee proposal must be considered reasonable. A contract may be awarded to a Respondent who does not submit the lowest fee proposal.

OTHER TERMS AND CONDITIONS

I. Reservation of Rights.

The Alameda City Attorney's Office reserves the right to cancel this RFP/RFQ, or to reject, in whole or in part, any and all proposals received in response to this RFP/RFQ. The Alameda City Attorney's Office, upon its determination, further reserves the right to waive any minor informality in any proposals received, if it is in the public interest to do so. The determination of the criteria and process whereby proposals are evaluated, the decision as to who shall receive a contract award, or whether or not to award, shall be made as a result of the RFP/RFQ and at the sole and absolute discretion of the Alameda City Attorney's Office.

II. Payment Terms.

Providers will be required to submit invoices on a monthly basis. The invoice will include a breakdown of all services provided and the hourly rate for such services.

ATTACHMENTS

Attachment 1 – Rent Control, Limitations on Evictions and Relocation Payments to Certain Displaced Tenants Ordinance (Ordinance No. 3250)

Attachment 2 – City of Alameda Resolution 15138, Policy Concerning Capital Improvement Plans

Attachment 3 – Rent Program Brochure

Attachment 4 – Standard Professional Services Agreement

Remainder of this page intentionally left blank