

RESOLUTION NO. _____

**APPROVAL OF GENERAL COUNSEL LEGAL SERVICE CONTRACT
WITH RICHARD H. NASH III**

Item No. 5C

WHEREAS, the Louisville Metro Housing Authority (LMHA) Operating Budget provides funding for General Counsel Legal Services; and

WHEREAS, LMHA requires general counsel legal services, and staff prepared a Request for Proposals (RFP) to acquire the needed legal services for a fee not to exceed \$75,000. The RFP includes an option provision whereby LMHA may renew the contract up to four additional years for the same amount each extension.

WHEREAS, LMHA advertised the project in The Courier-Journal, The Louisville Defender, LMHA's Website and the Housing Agency Marketplace, and on March 1, 2022, a proposal was received from Richard H. Nash III, Attorney at Law for providing the requisite services, and it reviewed and evaluated; and,

WHEREAS, the evaluation process determined that the proposal submitted by Richard H. Nash III, Attorney at Law was the only proposal received and subsequent review by LMHA staff found it acceptable for the work to be performed, and staff recommends award of the contract to this firm.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS, that the Executive Director and Contracting Officer, Lisa Osanka, is hereby authorized to enter into the General Counsel Legal Services Contract with Richard H. Nash III, Attorney at Law in the amount not to exceed \$75,000.

RESOLUTION BACKGROUND STATEMENT

APPROVAL OF GENERAL COUNSEL LEGAL SERVICE CONTRACT WITH RICHARD H. NASH III

Item No. 5C

I. STATEMENT OF FACTS:

The Louisville Metro Housing Authority (LMHA) Operating Budget provides funding for General Counsel Legal Services. This service is necessary to accommodate legal services as required in the course of the agency's operations.

In accordance with LMHA's Procurement Policy, a Request for Proposals (RFP) was issued to prospective offerors. The RFP was advertised on February 9, 2022, in The Courier Journal, the Housing Agency Marketplace and LMHA's Website; and on February 10, 2022, in The Louisville Defender; reaching at least 580 firms that we can confirm received a "Request for Proposals" as follows:

MBE / African-American Business Enterprise	111 (19%)
MBE / Asian Indian-American Business Enterprise	8 (1%)
MBE / Asian Pacific-American Business Enterprise	8 (1%)
MBE / Hasidic Jew Business Enterprise	3 (1%)
MBE / Hispanic American Business Enterprise	36 (6%)
MBE / Native American Business Enterprise	5 (1%)
MBE / Woman-owned Business Enterprise	121 (21%)
DBE / Disabled-owned Business Enterprise	0 (0%)
NONE (Not MBE, WBE or DBE-owned)	373 (64%)
SECTION 3 Business	24 (4%)

From the 580 companies listed above, a total of 15 companies downloaded and reviewed the RFP. On March 1, 2022, a proposal was received from the following firm:

- Richard H. Nash III, Attorney at Law

The proposal was reviewed by the Procurement Committee (Dan Farrell, Kathleen O'Neil, Phil Reidinger and Tonya Wise) utilizing the following criteria:

- Experience and Qualifications (50 points)
- Technical Plan (10 Points)
- Fee Proposal Submittal (40 points)

The responses were evaluated and scored. The maximum total points for each evaluation was 100 points, with a maximum combined total score of 400 points.

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I. STATEMENT OF FACTS (cont.):

The proposal from Richard H. Nash III, Attorney at Law received a score of 400 points.

The fee proposal submitted by Richard H. Nash III is \$125 per hour. Mr. Nash's firm is organized as a "sole proprietorship"; he is the sole owner and legal practitioner of the firm. Since no subcontractors are involved, the MWDBE Goals do not apply; Section 3 Regulations do not apply for any professional services, such as legal services.

As a result of the above review and evaluation process, Richard H. Nash III, Attorney at Law was found to be qualified to provide the services described in the RFP and the Procurement Committee recommends award to this firm in the amount not to exceed \$75,000.

II. ALTERNATIVES:

- A. Approve award to Richard H. Nash III, Attorney at Law in the amount not to exceed \$75,000.
- B. Do not approve award of the contract at this time.

III. RECOMMENDATION:

Staff recommends Alternative "A".

IV. JUSTIFICATION:

- The General Counsel Legal Service Contract will provide an attorney to protect the interests of the LMHA.
- Richard H. Nash III, Attorney at Law is qualified to perform the needed services as demonstrated by current and past experiences. This attorney is currently providing LMHA with General Counsel Legal Service and past annual contract evaluations have found the firm to be consistently rated "Above Average" in providing the required services.

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IV. JUSTIFICATION (cont'd):

- The proposal submitted by Richard H. Nash III, Attorney at Law was responsive and responsible.
- The \$125 hourly rate proposed by Richard H. Nash III, Attorney at Law has been reviewed by staff and found to be reasonable and acceptable. There is no change in the proposed hourly fee.
- Richard H. Nash III, Attorney at Law is a third-generation lawyer who has served as LMHA's Legal Counsel since January 2009. Mr. Nash has been licensed to practice law in the Commonwealth of Kentucky since October 5, 2004, and is in good standing with the Kentucky Bar Association, with no history of disciplinary action.

V. BUDGET APPROVAL:

Funding for this contract is provided from the Operating Budget.

Angela Larsson, Director of Finance

Date

VI. PROCUREMENT CERTIFICATION:

The procurement of this contract is in compliance with the Louisville Metro Housing Authority's procurement policies and procedures.

Steven Webb, Purchasing Agent

Date

Prepared and Submitted by: Norma Asyn Ward, Director
Capital Improvements
March 15, 2022