



Q&A SUBMITTED FOR REQUEST FOR PROPOSALS (RFP) FOR LEGAL COUNSEL SERVICES

1. **Question:** Is being licensed in the State of Rhode Island a prerequisite for consideration for Legal Counsel?

RIHousing's Response: Not in all circumstances. The RFP is inviting all qualified firms to submit proposals to provide RIHousing with legal services in several practice areas of law. Due to the nature of our business, some of these practice areas (e.g. Corporate Governance, Single Family Loan Closing Services, Tax Lien Foreclosure and SHAB) are governed by state law, which require state-specific knowledge and experience. However, in other practice areas we only require that the representative attorney be licensed to practice, and the firm have the professional capacity and experience to undertake the Scope of Services.

2. **Question:** If a law firm has been approved to provide legal services for Mortgage Servicing Solutions in the State of Maine, does the firm have to re-apply for that work?

RIHousing's Response: No. This RFP is not to engage legal counsel to provide legal services to RIHousing or Mortgage Servicing Solutions (MSS) in the State of Maine, and it will not replace, supplement or supersede any existing list or engagement with respect thereto.

3. **Question (Section I - Scope of Services, pg. 2):** If a firm elects to submit a proposal for Real Estate Finance, does the firm have to provide legal services for all of the programs listed (i.e. Tax Credit Financing and Federal/State Affordable Housing Programs)?

RIHousing's Response: In submitting a proposal to provide legal services in the area of Real Estate Finance, RIHousing is requiring that the qualified firm have the professional capacity and experience to represent the corporation in multi-family real estate development transactions that are financed through a variety of federal and state affordable housing programs. To clarify, the reference to multi-family real estate transactions in this section of the RFP does not pertain to multi-family loan closings of 2-4 family properties. A firm seeking to provide legal services in that capacity should select Single-Family Loan Closing Services on Exhibit A (Checklist) and provide pertinent information as requested for the applicable practice areas.

4. **Question (Section IV, Part I(C)(4) – Fee Proposal and Costs, pg. 8):** Are you referring to the actual foreclosure process or fees for the REO sale to represent the foreclosing bank who is selling the property?

RIHousing’s Response: RIHousing is referring to the actual foreclosure process.

5. **Question (Section IV, Part I(C)(5) – Fee Proposal and Costs, pg. 8):** Can you provide clarification on the discounted rates for quasi-governmental entities? Is the question whether we would offer a discount on the settlement fee we charge to corporate lenders?

RIHousing’s Response: Yes. RIHousing is requesting information regarding whether a firm has alternative billing arrangements or discounted fees for quasi-governmental entities.

6. **Question (Section IV, Part I(E)(2) – Technology, Data Security and Consumer Information Protocols, pg. 9):** Is it a requirement to have LEDES 1998 format for billing purposes?

RIHousing’s Response: Yes. RIHousing utilizes Thomson Reuters Legal Tracker®, a web-based matter management and e-billing system. Any firm working with RIHousing will be required to establish an online account, at no charge, and transmit legal invoices for processing and payment through Legal Tracker. The LEDES format will allow RIHousing to accept invoices in a uniform format for ease of processing and payment.

Please note that at this time the invoicing process and payment of legal fees associated with single-family loan closings and multi-family real estate closings (e.g. LIHTC, 1st mortgage and construction) will remain the same and will not be managed through the Legal Tracker system. As such, all invoices related to these matters should be submitted and paid consistent with the current practice.

7. **Question (Section IV, Part I(F)(1) – Miscellaneous, pg. 9):** Does a firm’s conflict policy need to align with RIHousing’s conflict policy? If so, please provide a copy of RIHousing’s conflict policy?

RIHousing’s Response: No, the firm’s conflict policy does not need to align. However, all qualified firms submitting a proposal must detail the firm’s policy or process for handling conflicts.

8. **Question (Section IV, Part I(G)(1) – Mandatory Certifications, pg. 10):** Regarding the statement required for signing, is this something a firm needs to obtain from RIHousing or does the firm need to draft it?

RIHousing’s Response: RIHousing will not provide a form for this section. Each firm is responsible for the drafting and submittal of the mandatory certifications and required signed statement/letter.

9. **Question:** For 2017, 2018 and 2019 year to date, please identify the number of attorney demand letters, grievances, agency charges and lawsuits that RIHousing received related to labor and employment matters.

RIHousing’s Response:

Year 2017: <5
Year 2018: <5
Year 2019: 0

10. **Question:** With respect to employment litigation matters, what is the average hours per matter, length of time open, and average fees per matter?

RIHousing’s Response: RIHousing does not have this historical data available.

11. **Question:** What is RIHousing’s litigation philosophy with respect to labor and employment matters? Do you focus on early case evaluation and resolution, or are you more likely to fight through to summary judgment or trial?

RIHousing’s Response: RIHousing’s philosophy is to avoid litigation by managing risk. When litigation is unavoidable, RIHousing’s goal is to resolve disputes in a smart, cost-effective and expeditious manner.

12. **Question:** For 2017, 2018 and 2019 year to date, please identify the number of litigation and agency matters in the labor and employment space that were prepared for and/or taken to trial or other adjudication.

Year 2017: <5
Year 2018: <5
Year 2019: 0

13. **Question:** Will this RFP cover new labor and employment matters only, or will existing labor and employment matters be transitioned to the selected firm(s)? If existing matters will be transitioned, what is the current number of open attorney demands, grievances, agency charges and lawsuits in the labor and employment space?

RIHousing's Response: This RFP is generally intended to cover new matters. This applies to all areas of representation. However, if it is determined to be in the best interest of the corporation, RIHousing may request that an existing matter be transitioned to a firm selected pursuant to this RFP.