

**Request for Action
By
Board of Commissioners**

**Approval of Law Firms for Outside Legal Counsel
Real Estate Legal Services**

1. Summary of Request

This Request for Action (“RFA”) seeks authorization from the Board of Commissioners of Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) to establish a roster and engage outside legal counsel for real estate development and closing services.

2. Discussion

Under its enabling act (R.I. Gen. Laws §42-55-2), RIHousing was created to address the housing needs of low- to moderate-income Rhode Islanders by encouraging the investment of private capital to stimulate the construction, rehabilitation, operation, retention, and maintenance of residential housing through the use of public financing, providing construction and mortgage loans to eligible homebuyers, and making provision for the purchase of mortgage loans. In order to accomplish these goals, RIHousing periodically engages a roster of outside legal counsel to provide legal services categorized according to the diverse legal needs of the corporation.

In Spring 2024, RIHousing issued a Request for Proposals (“RFP”) seeking qualified firms to provide legal services in some or all of the following areas of representation:

- Real Estate Development and Finance
- Real Estate Settlement and Closing (Single Family 1-4 Units)

Notice of the RFP was posted on the RIHousing and Division of Purchases websites. In addition, the RFP was emailed to multiple attorneys and law firms, both locally and nationally, who have expressed an interest in providing legal services to RIHousing.

In response to the RFP, RIHousing received proposals from twenty-one (21) firms of varying size, geographic coverage, and experience, with some applying for both areas of real estate representation. A selection committee comprised of RIHousing staff (the “Selection Committee”) reviewed and evaluated the written proposals in accordance with the criteria outlined in the RFP. The selection committee applied a weighted average scoring model for evaluating and comparing the responses, which scoring chart is attached hereto as Attachment C. Factors considered included the law firm’s experience, capacity to undertake the work, fee structure, experience with RIHousing programs, and - for single-family loan closings - language capabilities.

For each area of representation, the Selection Committees ranked firms based on the weighted score and determined the number of firms appropriate for engagement based on the corporation's business needs.

The Selection Committee recommends establishing a roster and engaging the firms listed in Attachment B (with some appearing under both areas of representation), except Elite Title & Closing Services, LLC, whose proposal was not scored due to substantial incompleteness, rendering it non-responsive. The selected firms will be placed on the RIHousing outside legal counsel roster and be engaged for three (3) years with an option to extend for an additional two (2) year term if determined to be in the corporation's best interests. The roster is not meant to replace, supplement, or supersede any existing engagement of law firms who provide RIHousing with public finance counsel, corporate and litigation services, legal services in the State of Maine, or other specialized representation. This roster will supersede legal engagements entered in 2019 for substantially similar real estate development and closing services.

3. Recommendation

The Selection Committee recommends that the Board of Commissioners approve the attached resolution authorizing RIHousing to establish a roster and engage outside legal counsel.

4. Attachments

- A. Resolution
- B. 2024 Outside Legal Counsel Roster (Real Estate Legal Services)
- C. Scoresheet

Attachment A

Resolution of the Board of Commissioners of RIHousing and Mortgage Finance Corporation

- Whereas:** Rhode Island Housing and Mortgage Finance Corporation’s (“RIHousing”) enabling act provides it with all the power and authority to make and execute contracts necessary to exercise the powers and functions provided to it under the act (R.I. Gen. Laws §42-55-5(6)); and
- Whereas:** RIHousing has determined that it is in the best interest of the corporation to establish a roster of outside legal counsel, from which it will engage firms on an as-needed basis to provide real estate settlement, closings, and real estate development and finance services in the State of Rhode Island; and
- Whereas:** RIHousing has budgeted sufficient funding in its annual budget for these services; and
- Whereas:** RIHousing issued a Request for Proposals (“RFP”) for qualified firms to provide legal services related to Real Estate Development and Finance, and Real Estate Settlement and Closing (Single Family 1-4 Units); and
- Whereas:** A selection committee (the “Selection Committee”) comprised of RIHousing staff reviewed the proposals and scored them according to the criteria set forth in the RFP; and
- Whereas:** The Selection Committee has determined that the firms proposed to be engaged to provide these services have the appropriate experience and capacity to undertake the work;

NOW, THEREFORE, IT IS HEREBY:

- Resolved:** that RIHousing be, and hereby is authorized, to establish a roster of outside legal counsel and to engage those firms as set forth in Attachment B for legal services in accordance with the RFP and the proposals submitted in response thereto; and;
- Resolved:** that such engagements shall be for a three-year term, subject to renewal for an additional two years, for an acceptable rate of compensation as outlined in the Firms’ individual responses to the RFP;
- Resolved:** that the Executive Director and the General Counsel, each acting singly, be and hereby are authorized and empowered to take any and all actions necessary or desirable to carry out the foregoing resolutions, including without limitation the authority to negotiate the terms and fees of the engagement as he or she may

determine are in the best interests of RIHousing, and to execute any and all agreements or documents as he or she deems necessary to carry out the foregoing and to take such further actions as he or she deems necessary to carry out the foregoing resolutions.

Attachment B

Outside Legal Counsel Roster Real Estate Legal Counsel

Real Estate Development and Finance

Adler Pollock and Sheehan PC
Klein Hornig LLP
Kutak Rock LLP
McGunagle Hentz, PC
Reno and Cavanaugh PLLC

RE Settlement and Closing (Single Family 1-4 Units)

Accardo Law Offices LLP
Adler Pollock and Sheehan PC
DeAngelis, McNamara & Cofone, PC
Denelle Law, LLC
Equity National Title
Gerald A. Mosca, Attorneys at Law
Law Offices of Glenn J. Andreoni, Inc.
Guerra Law Offices, LTD
Klein Hornig LLP
Kutak Rock LLP
Marinosci Law Group PC
Law Office of Michael C. Lima, Trivium Escrow & Closing, LLC
McGunagle Hentz, PC
Parnagian & Marinelli, PC
Pilgrim Title
Reno and Cavanaugh PLLC
Robert A. Ragosta LTD
Law Offices of Thomas W. Madonna
Tomassi Law
Warr & Warr PC

Attachment C

**Scoresheet
(see attached)**