

Administration and Finance  
General Counsel



Request for Proposal of Legal Services

05/06/2021

## I. Overview

The Boston Public Health Commission (BPHC) is the local public health department for the City of Boston. BPHC's mission is to protect, preserve, and promote the health and well-being of all Boston residents, particularly the most vulnerable.

The office of the General Counsel is seeking proposals from qualified law firms, individual attorneys, or auditing firms to assist the Commission with an in-depth review of two decades of commercial real estate transactions between the Commission and a real estate developer.

As part of BPHC's efforts to have an equitable procurement process, BPHC will consider and encourage unrepresentative businesses that includes Minority-owned Business Enterprises (MBE), Women-owned Business Enterprises (WBE), Veteran-owned Business Enterprises (VBE), Service-disabled Veteran-owned Business Enterprises (SDVOBE), Disability-owned Business Enterprise (DOBE), Lesbian Gay Bisexual Transgender Business Enterprises (LGBTBE), and local businesses to apply to this RFP.

## II. Scope of Work

The Commission is an independent public agency that serves as the health department for the City of Boston. From 2001 to the present, the Commission entered into a range of transactions for land and buildings across several of its campuses in the City of Boston. The Commission seeks a commercial real estate firm, attorney, or auditing firm to review the transactions in detail to clarify the various obligations of the parties and related lenders. The project would include a review of five different transactions with more than one hundred closing documents in each.

In addition, the Commission seeks assistance with a dispute with a commercial tenant around the payment of past utility bills at a large real estate complex owned by the Commission. The dispute involves both interpretation of lease agreements as well as a review and a determination of past and current usage of shared utilities within the complex. The Commission also seeks assistance with resolving overdue rental payments from the same commercial tenant.

Lastly, the Commission will be seeking legal assistance with a longer-term project relating to the potential sale of this same complex in the future.

### III. RFP Timeline

Thursday, May 6, 2021	Advertisement posted on Lawyers Weekly.
Thursday, May 6, 2021	RFP available online at <a href="http://www.bphc.org/RFP">www.bphc.org/RFP</a> by 5:00 PM EST
Wednesday, May 19, 2021	Questions due via email by 5:00 PM EST to:  <b><a href="mailto:tharrington@bphc.org">tharrington@bphc.org</a></b>  Subject – Legal Services RFP
Monday, May 24, 2021	Responses to questions available for viewing on <a href="http://www.bphc.org/RFP">www.bphc.org/RFP</a> by 5:00 PM EST
Friday, May 28, 2021	RFP due by 5:00 PM EST – Submit via Email to <a href="mailto:tharrington@bphc.org">tharrington@bphc.org</a>  1) Company Name and Address 2) “RFP Legal Services”  <b>NO EXCEPTIONS TO THIS DEADLINE</b>
June 2021	Notification of Decision: Will be made in June of 2021. BPHC has the discretion to extend this time period without notice to the proposers. All proposals shall remain valid and open for a period of one hundred twenty (120) days from the proposal submission date unless a proposer notifies BPHC of its withdrawal.

### IV. Minimum Qualifications

Qualified firms may submit a proposal via email to Timothy J. Harrington, General Counsel for the Commission, at [tharrington@bphc.org](mailto:tharrington@bphc.org). The proposals should include the following:

- A. A description of the firm’s practice, including the level of experience with large commercial transactions, mortgages and payment obligations among the parties and real estate lenders. Experience dealing with municipalities and their commercial real estate transactions should be included.
- B. A description of the firm’s ability to bring in professionals in other fields, including auditors and engineers, and the identification of those potential entities for conflict checks.
- C. A proposal around how the bidder would conduct the review of the closing documents for each transaction and how the bidder would present its conclusions to the Commission.
- D. The bidder’s hourly rate for such work.
- E. The proposed number of hours to review five to six hundred documents from the various transactions.
- F. The bidder’s hourly rate for assistance with the utility and rental issues discussed above, as well as assistance with the sale of the property, if different; and Identification of any additional fees or costs likely to be incurred.

## V. Submission Instructions

Please submit your Proposal by *Friday, May 28, 2021 by 5:00 PM EST* – Submit via email a PDF file of proposal to: [tharrington@bphc.org](mailto:tharrington@bphc.org)

Email subject line:

- 1) Company Name and Address
- 2) “RFP Legal Services”

**NO EXCEPTIONS TO THIS DEADLINE, May 28, 2021 by 5:00PM EST**