



Legislation Text

File #: 20-2442, **Version:** 1

STRATEGIC PRIORITY: Government Performance and Financial Management
AGENDA DATE: January 13, 2021
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Procurement Services
EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a subrecipient agreement with Legal Aid of NorthWest Texas, most advantageous proposer of two, to provide legal services to Dallas residential tenants at risk of eviction and homelessness due to financial hardships brought on by the COVID-19 pandemic for the period December 31, 2020 through December 31, 2021 - Not to exceed \$200,000 - Financing: 2020 CARES Act Relief CDBG #3 Fund

BACKGROUND

This subrecipient agreement will provide for eviction legal services for the Dallas Eviction Assistance Initiative. The Evictions Assistance Initiative was created to continue mitigation of evictions efforts in Dallas. The initiative establishes an evictions program where direct legal services will be provided to Dallas residents who are Low Income as defined by the U.S. Department of Housing and Urban Development, specifically those at or below 200 percent of the Federal Poverty Guidelines, and residents negatively impacted by the COVID-19 pandemic. The goal of the initiative is to mitigate Dallas residents finding themselves facing eviction and possible homelessness without the resources to retain legal representation.

Due to COVID-19 financial hardships, residential tenants have faced the threat of eviction and homelessness. Evictions data from Princeton's Eviction Lab has shown drastic fluctuations between 2000 and 2016. Although the county eviction data for 2020 is limited, it has been found that the City of Dallas accounted for 60 percent of all eviction proceedings filed in Dallas County from January through November. Limited data available also found that the City accounted for 56 percent of evictions in Denton County Precinct 6 from January through October. Data analysis from Collin County is pending. It was found that evictions increased during periods where moratoriums expired. This includes an increase after the Dallas County eviction moratorium that expired May 18, 2020, the Texas Supreme Court eviction moratorium that expired April 19, 2020, and the CARES Act eviction moratorium that expired July 25, 2020.

It can reasonably be deduced from interactions with residents, the court administrators and the

County that City residents are experiencing an increase in evictions due to COVID-19 financial hardships. Those particularly at high risk include low-income communities, the disabled, impoverished women, persons of color, domestic violence victims, and families with children.

The COVID-19 Pandemic has affected the entire country and to alleviate some hardships the CARES Act (Act) implemented an eviction moratorium last year. The eviction protections apply to “covered dwellings,” which are rental units in properties that participate in federal assistance programs, are subject to a “federally backed mortgage loan,” or are subject to a “federally backed multifamily mortgage loan”. The Act prohibited landlords of these specified rental “covered dwellings” from initiating eviction proceedings or charging fees, penalties, or other charges against a tenant for the nonpayment of rent. These protections extended for 120 days from enactment on March 27, 2020 and expired on July 24, 2020.

On September 4th, 2020, the Centers for Disease Control issued a temporary eviction moratorium order through December 31, 2020. The moratorium covers all tenants who meet the order requirements and present a signed declaration to their landlord. These protections were extended by the Consolidated Appropriations Act until January 31, 2021.

The recommended firm is a non-profit organization that provides civil legal services to low income residents. They have disclosed and agreed to obtain a conflict waiver from their clients who are adverse to the City. The firm is also implementing an ethical wall between staff members who are representing clients adverse to the City and those who are working on the eviction program. They agree not to use City issued funds toward the adverse litigation or clients. The firm intends to collaborate with several partners including CitySquare, whose subsidiary is a plaintiff in litigation against the City.

A four-member committee from the following departments reviewed and evaluated the qualifications:

- Office of Equity and Inclusion (3)
- Office of Economic Development Business Workforce and Inclusion Division (1)*

*The Office of Procurement Services only evaluated cost and the Office of Economic Development Business Workforce and Inclusion Division only evaluated the Business Inclusion and Development Policy.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- | | |
|---|-----------|
| • Experience | 45 points |
| • Approach | 40 points |
| • Business Inclusion and Development Policy | 15 points |

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

| Funding | FY 2021 | FY 2022 | Future Years |
|------------------------------------|--------------|---------|--------------|
| 2020 CARES Act Relief CDBG #3 Fund | \$200,000.00 | \$0.00 | \$0.00 |

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

| Contract Amount | Procurement Category | M/WBE Goal | M/WBE % | M/WBE \$ |
|---|-----------------------|------------|---------|----------|
| \$200,000.00 | Professional Services | N/A | N/A | N/A |
| <ul style="list-style-type: none"> • The Business Inclusion and Development Policy does not apply to contracts. • Legal Aid of NorthWest Texas - Non-local; Workforce - 0.00% Local | | | | |

PROCUREMENT INFORMATION

Method of Evaluation for Award Type

| | |
|----------------------|--|
| Request for Proposal | <ul style="list-style-type: none"> • Utilized for professional, personal, revenue, and planning services • Recommended offeror is the responsible offeror whose proposal most closely meets established criteria for the services advertised, based on demonstrated competence and qualifications at a fair and reasonable price • Always involves the evaluation by committee • Allows for negotiation on contract terms, including price |
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The Office of Procurement Services received the following proposals from solicitation number BR21-00015316. We opened them on December 28, 2020. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

| <u>Proposers</u> | <u>Address</u> | <u>Score</u> | <u>Amount</u> |
|-------------------------------|---|---------------------|----------------------|
| *Legal Aid of NorthWest Texas | 600 E. Weatherford St. Ft. Worth, TX 76102 | 79.33 | \$200,000.00 |
| O'NEAL LAW | 3824 Cedar Springs Rd. | 39.67 | \$00.00 |

GROUP, PC

#554
Dallas, TX 75219

OWNER

Legal Aid of NorthWest Texas

Pamela St. John, President (Chair)

Kristin Postell, Vice President (Vice-Chair)