



MEMORANDUM

TO: MFA Board of Directors

Through: *Contracted Services Committee – June 9, 2015*

Through: Policy Committee – June 3, 2015

FROM: Marjorie A. Martin

DATE: June 1, 2015

SUBJECT: Proposed Selection For Award for Housing Development and Multi-Family Mortgage Servicing Legal Services RFP

Recommendation:

An Internal Review Committee comprised of MFA staff has reviewed the responses submitted to MFA for the Housing Development and Multi-Family Mortgage Servicing Legal Services RFP, and is proposing the selection of the firm Sutin Thayer & Browne for award pursuant to the provisions of the RFP.

Background:

MFA issued the above-named Request for Proposals (RFP) by posting it on MFA's website on April 15, 2015, and subsequently advertising the RFP in newspapers in Albuquerque, Las Cruces, Santa Fe, and Farmington, as well as in the New Mexico Bar Bulletin. The deadline for receipt of submissions was April 30, 2015.

Discussion:

By April 30, MFA received one response to the RFP, from the law firm of Sutin Thayer & Browne. Upon review of the submission, utilizing the evaluation criteria provided in the RFP, the members of the Internal Review Committee determined that Sutin's response met the requirements for submission and scored highly in review of the evaluation criteria provided in the RFP



Criteria	Point Range	Maximum Points	Sutin Thayer & Browne
1 Experience and Capability.		55	
Offeror's skill, knowledge and experience with--			
a. New Mexico real estate, land use law, representation of lenders in commercial real estate transactions in New Mexico; laws and regulations governing bond-financed real estate transactions and the issuance and sale of multi-family mortgage revenue bonds; the mortgage banking industry; federal and state tax laws impacting real estate development transactions; and the rules, regulations and guidelines of both governmental and private mortgage insurers and secondary mortgage market conduits affecting the mortgage banking business.	0-20		
b. Insured mortgage lending programs, the Low Income Housing Tax Credit (LIHTC) Program, and the HOME Investment Partnerships Program.	0-20		
c. State and Federal laws related to multi-family foreclosure, bankruptcy and mortgage lending; foreclosure proceedings on multi-family loans, including HUD 542(c), LIHTC, and HOME.	0-15		
2. Responsiveness to MFA and Technical Capabilities			
Offeror's ability to deliver responsive, quality legal services and Offeror's availability for consultation and discussion with the MFA or any of its representatives as evidenced by:			
a. the designation of a lead attorney, preferably at partner level in the firm, assigned to MFA matters on a high priority basis, who will act as the main contact for MFA's Board of Directors and staff for all communications, including billing, and who will coordinate all aspects of the contractual representation, including direction of the activities of all other attorneys assigned by the firm to represent MFA;			
b. Offeror's technical support capabilities and availability to be reached by telephone and email during business hours, off hours, weekends, and holidays.	0-20	20	
3. Fees			
Hourly basis-- hourly rates and other fees and costs.	0-25	25	
Maximum Points		100	

Summary:

MFA's Internal Review Committee has reviewed the sole response submitted to the Housing Development and Multi-Family Mortgage Servicing Legal Services RFP and determined that the response from the law firm of Sutin Thayer & Browne met all threshold requirements and scored highly in the criteria for evaluation provided in the RFP. The Internal Review Committee therefore proposes that the firm of Sutin Thayer & Browne be selected for award pursuant to the provisions of the RFP.

