

Request for Proposals – Legal Services

May 2021

The Boston Public Health Commission 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. 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.

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

- 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.
- 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;
- 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;
- The bidder's hourly rate for such work;
- The proposed number of hours to review five to six hundred documents from the various transactions;
- 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.

Bidders should submit their proposals by May 28, 2021. Questions may be submitted by May 19, 2021 to Attorney Harrington. Thank you.