REQUEST FOR QUALIFICATIONS
SEEKING GEORGIA-LICENSED CLOSING ATTORNEYS
FOR SMALL BUSINESS GRANTS AWARDED UNDER THE C.A.R.E.S. ACT

PREPARED BY:
THE ATLANTA DEVELOPMENT AUTHORITY
D/B/A INVEST ATLANTA

July 24, 2020
INTRODUCTION

The Atlanta Development Authority d/b/a Invest Atlanta (hereinafter “Invest Atlanta”) invites Georgia-licensed attorneys to provide their qualifications to perform grant closing services to reimburse business interruption costs sustained by local small businesses, up to $40,000, proximately caused by the COVID-19 pandemic. Funding for these grants comes from the federal CARES Act allocation made to Invest Atlanta by the City of Atlanta.

BACKGROUND

Created by virtue of the Georgia Development Authorities Law, Invest Atlanta was activated by a 1997 resolution of the City of Atlanta, Georgia. It operates as a public body corporate and politic of the State of Georgia. Invest Atlanta’s mission is to advance Atlanta’s global competitiveness by growing a strong economy, building vibrant communities, and increasing economic prosperity for all Atlantans. We strive to make Atlanta the most economically dynamic and competitive city in the world. Invest Atlanta serves as the City’s economic development and redevelopment agency pursuant to certain Intergovernmental Agreements.

Like much of the world, the City of Atlanta is currently responding to an outbreak of respiratory disease caused by a novel coronavirus named “Coronavirus Disease 2019” (“COVID-19”). On March 11, 2020, the World Health Organization declared the COVID-19 outbreak to be a worldwide pandemic. The President, the Georgia Governor and Mayor Keisha Lance Bottoms have all made emergency declarations and activated respective emergency plans. It is anticipated that COVID-19 will inflict long-term economic damage on the U.S. economy in excess of $8 Trillion.

To address some of the economic consequences of the pandemic, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Pub.L. 116–136, was signed into law on March 27, 2020, establishing the Coronavirus Relief Fund. The City of Atlanta received $88,434,611.30 to cover costs incurred due to the COVID-19 public health emergency. The City appropriated its CARES Act funding for a variety of public health, payroll, and economic development uses, including $22,000,000 to Invest Atlanta. Specifically, Invest Atlanta will create programming to provide financial support in the form of reimbursable grant funding to local small businesses so that their business can adapt and thrive post-COVID-19. The CARES Act funds will be used to support the new Resurgence Grant Fund, which provides reimbursable grants of up to $40,000 to approved businesses across the City to pay for costs associated with COVID-19. Small businesses that receive Resurgence Grant funding may also access up to $10,000 in technical assistance services from select providers.
TERM OF CONTRACT

Upon completion of the RFQ evaluation process, Invest Atlanta intends to select a panel of highly qualified small and solo Georgia licensed attorneys to provide closing services to memorialize awards under the Resurgence Grant Fund, reimbursing certain expenses incurred as a result of the COVID-19 pandemic. Invest Atlanta estimates approximately 500 grants will be awarded and closed prior to December 31, 2020. The term of the engagement is expected to be six (6) months.

OBJECTIVES

Invest Atlanta will require the selected panel of attorneys to:

- Work at the direction of the Assistant General Counsel to review proposed awards made under the guidelines of the Resurgence Grant Fund, included submitted documentation for veracity and completeness.
- Review applications approved by Invest Atlanta business team and conform an existing form Grant Agreement developed in house.
- Verify that Invest Atlanta is making awards in a manner consistent with requirements of the CARES Act.
- Close grants in a well-organized and fair process to efficiently deploy funding to Atlanta small businesses negatively impacted by COVID-19.
- Use DocuSign® to electronically execute Resurgence Grant Agreements on behalf of Invest Atlanta.
- Promote equity and fairness through the use of a diverse panel of local, small and solo Georgia licensed attorneys to perform legal services in the deployment of CARES Act funding.

STATEMENT OF QUALIFICATION

Interested Respondents are required to submit responses and documentation as follows: Not including attachments, statements, or exhibits, please limit writing response to five (5) pages, double spaced, in a court-acceptable font no smaller than 11 point.
A. **Primary Attorney Contact** – Provide the full name of the principal attorney, name of firm, physical address, telephone number, email address, website of the law firm practice, and a *brief* description of the primary practice areas.

B. **Knowledge and Expertise** – Highlight key experience related to contract formation, negotiation, and drafting; commercial or residential real estate closing; lending; formation of corporations and other business organizations; local government law practice; federal grant administration. A minimum of five (5) years of hands-on, senior or management level experience in at least two (2) of the foregoing areas of practice. Provide descriptions of significant projects/clients, highlighting examples of applied knowledge, professional expertise and/or experience relative to the proposed engagement. Exposure to federal laws enacted in response to the COVID-19 pandemic is a plus.

C. **Licensure** – Provide an electronic copy of all licenses required to operate the law firm or law practice, including but not limited to City of Atlanta business license, State Bar of Georgia membership; Notary Public.

D. **Firm Resume and Professional Curriculum Vitae** – Submit a firm resume and CVs of all licensed attorney(s) to be assigned to this engagement. The Firm resume, if applicable, must include a summary of years of existence, specializations or focus areas relevant to this RFQ, organizational structure and relevant qualifications of the firm. Please do not send general law firm marketing materials. Professional CVs must include names and titles of attorney(s) for this engagement, including education, relevant work history, certifications, and professional achievements. These are exhibits and not counted in the page limit. All lawyers must be in good standing with the State Bar of Georgia. Any intent to use Paralegals in the proposed engagement must be identified.

E. **Equity and Inclusion**. Describe your practice policy on equity and inclusion, as well as measures taken to advance that policy. Identify whether Respondent Attorney or Firm is certified by the City of Atlanta, MARTA, or the Georgia Department of Transportation as a Disadvantaged Business Enterprise (“DBE”), Minority or Female Business Enterprise (“MFBE”), or Small Business Enterprise (“SBE”). Please provide certification or designation number.

F. **Professional Liability Insurance**—Provide evidence of current professional liability insurance coverage, including any applicable liability cap and deductible.
G. **Conflicts and Quality Control** – Describe your quality assurance process. Describe how your firm identifies and manages conflicts of interest.

H. **Information Security** – Describe the controls used to secure confidential information obtained during this engagement. Include copies of firm policies and procedures that preserve and protect confidential data and maintain all relevant privileges.

I. **References** – Provide two references of current or former clients who are willing to speak to quality of legal work and professionalism reasonably similar to the practice areas requested herein. References must include full names, positions, and contact information, including email and telephone.

**RESPONSE COMPONENTS**

Responses must include the following components:

A. **Cover Letter** – Signed letter briefly stating the intent of your submittal and why your practice/firm is uniquely suited for this engagement.

B. **Statement of Qualification** – Sections A-H of the requested Statement of Qualification.

C. **Attached documentation** – Attachments requested above.

D. **Fee Proposal** – Note that Invest Atlanta intends to contract with several lawyers/firms to accomplish this short-term engagement. Consequently, IA intends to negotiate a standard fee per closed grant application with all selected Counsel. An estimated volume of more than 500 grant awards are required to be closed no later than December 31, 2020. Accordingly, no fee proposal is requested.

**EVALUATION CRITERIA**

Invest Atlanta will convene an Evaluation Committee to evaluate each response to this RFQ. At the discretion of Invest Atlanta, follow up interviews may be conducted with the highest-ranking Respondents as recommended by the Evaluation Committee prior to the Invest Atlanta making a final selection of the successful Consultant. Timely and complete submittals will be evaluated as follows:

_Last modified July 24, 2020_
Invest Atlanta
Request for Qualifications
Seeking Georgia-Licensed Closing Attorneys for Small Business Grants Awarded Under the C.A.R.E.S. Act

<table>
<thead>
<tr>
<th>Component</th>
<th>Maximum Points</th>
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<tbody>
<tr>
<td>Meet or exceed the minimum qualifications, possessing the requisite technical skills and expertise to perform the engagement.</td>
<td>25</td>
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<tr>
<td>Ability and experience closing transactions using DocuSign®.</td>
<td>10</td>
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<td>Demonstrable track record of successfully delivering legal services similar to those required by IA in this RFQ</td>
<td>25</td>
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<td>Effective conflict of interest and quality control policies and practices.</td>
<td>15</td>
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<td>Effective policies to advance equity and inclusion</td>
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<td>Familiarity with federal statutes enacted in response to the COVID-19 pandemic.</td>
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**RESPONSE DEADLINE**

Due to the conditions resulting from the COVID-19 pandemic, Responses to this Request for Qualifications must be submitted in electronic Portable Document Format (PDF) no later than 5:00 p.m. (EST), Monday, August 10, 2020. Proposals should include all identified components. Proposals received after the deadline time and date will not be considered.

**INQUIRIES**

All inquiries regarding this RFQ must be received in writing via email ONLY. Do not contact any Invest Atlanta staff by email or telephone with any questions or comments pertaining to this RFQ. The deadline to receive questions is 5:00 p.m. July 31, 2020. Questions must be submitted to:

Legal Team
Invest Atlanta
133 Peachtree Street, Suite 2900
Atlanta, Georgia 30303
CARESLawyers@investatlanta.com

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SELECTION TIMELINE

Invest Atlanta will review responses in accordance with the evaluation criteria outlined above. Invest Atlanta reserves the right to request additional information from some or all applicants. The following is an approximate schedule, subject to modification:

- Friday, July 24, 2020: RFQ released
- Friday, July 31, 2020: All written inquiries must be delivered by 5:00 p.m.
- Tuesday, August 4, 2020: Invest Atlanta’s responses to inquiries, will be posted on Invest Atlanta’s website by 5:00 p.m.
- Monday, August 10, 2020: Proposals must be submitted via email to CARESLawyers@investatlanta.com by no later than 5:00 p.m.
- Week of August 17, 2020: Interviews will be conducted should they be needed
- Friday, August 21, 2020: Notification of selected applicant(s)

TERMS AND CONDITIONS

A. All applicable Federal and State of Georgia laws, City and Fulton County ordinances, licenses and regulations of all agencies having jurisdiction shall apply to the Respondents throughout and are incorporated herein.

B. Professionals requiring special licenses must be licensed in the State of Georgia and shall be responsible for those portions of the work as may be required by law.

C. No response shall be accepted from, and no contract will be awarded to, any person, firm, or corporation that (i) is in arrears to Invest Atlanta or the City with respect to any debt, (ii) is in default with respect to any obligation to Invest Atlanta or the City, or (iii) is deemed irresponsible or unreliable by Invest Atlanta. If requested, the respondents shall be required to submit satisfactory evidence that they have the necessary financial resources to provide the proposed services.

D. Invest Atlanta reserves the right in its sole discretion to contract with one or more respondents to this RFQ, to request additional information from any or all respondents, to reject in whole or in part any and all responses, to waive defects or irregularities, to cancel this RFQ, or to reissue this RFQ with or without modification.
E. **Equal Business Opportunity (EBO)/Small Business Enterprise (SBE)/Disadvantaged Business Enterprise (DBE) Policy.** It is the policy of the City of Atlanta to actively promote full and equal business opportunity for small, disadvantaged, minority, and female business enterprises through the City’s SBE and EBO programs, as well as the administration of the federal DBE program. It is also the policy of the City of Atlanta to actively promote equal employment opportunities for disadvantaged, minority and female workers and prohibit discrimination based upon race, religion, color, sex, National origin, marital status, physical handicap upon or sexual orientation through the City’s Equal Employment Opportunity (EEO) Program. The purpose of the Equal Business Opportunity and Small Business Enterprise Programs is to mitigate the present and ongoing effects of the past and present discrimination against women, minority, disadvantaged, and small business so that opportunity – regardless of race, gender, or firm size – will become institutionalized in the Atlanta marketplace. **Equal Employment Opportunity Plan (EEO).** The workforce employed by a Respondent should reflect the demographic characteristics of the available pool of labor skills normally utilized.

F. All responses and supporting materials as well as correspondence relating to this RFQ become property of Invest Atlanta when received. **Responses and supporting materials are likely subject to the Georgia Open Records Act, O.C.G.A. §50-18-70, et seq.** Any proprietary information or trade secrets contained in the Proposal should be so indicated. For instance, on each page that contains information that respondents believe is exempt from mandatory disclosure under the Georgia Open Records Act, respondents shall include the following legend: “THIS PAGE CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE GEORGIA OPEN RECORDS ACT.” However, a general indication that the entire contents, or a major portion, of the Proposal is proprietary cannot be honored.