



City of San Antonio

Agenda Memorandum

File Number:21-1962

Agenda Item Number: 19.

Agenda Date: 3/18/2021

In Control: City Council A Session

DEPARTMENT: Neighborhood and Housing Services

DEPARTMENT HEAD: Verónica R. Soto, FAICP, Director

COUNCIL DISTRICTS IMPACTED: All Council Districts

SUBJECT:

Ordinance approving an award of up to \$200,000 with Texas RioGrande Legal Aid for the Right to Counsel program to be funded from the FY 2021 General Fund Budget.

SUMMARY:

This ordinance approves an award of up to \$200,000 with Texas RioGrande Legal Aid for the Right to Counsel program to be funded from the FY 2021 General Fund Budget. The Right to Counsel program consists of legal services for renters at or below 100% area median income who are facing landlord/tenant issues such as eviction, tenant Know-Your-Rights trainings and support to city staff working at the courts on eviction interventions.

BACKGROUND INFORMATION:

At Councilmember Roberto C. Treviño's request, the FY 2020 Adopted Budget included a recurring earmark of \$100,000 in existing Risk Mitigation budget of \$1,000,000 for a Right to Counsel (RTC) pilot program. This program provides renters at or below 100% area median income who are facing landlord/tenant issues such as eviction and is currently administered by Texas RioGrande Legal Aid, Inc. (TRLA). Through the program, tenants receive advice and representation. TRLA also conducts monthly tenant Know-Your-Rights trainings for the general public in English and Spanish.

The Right to Counsel Pilot Program began in March 1, 2020. Since that time TRLA has provided 349 households with legal services, all below 80% AMI. TRLA has also provided 13 public 'Know Your Rights' trainings on tenants' rights to over 1,000 individuals.

In June 2020, the pilot program expanded using federal CARES Act funding in order to meet further need

attributable to the COVID-19 pandemic. In addition to advice and representation to tenants and monthly Know-Your-Rights trainings, TRLA helps train and provides ‘virtual help-desk services’ to the eviction court support team from the Neighborhood and Housing Services under this contract. The services were key in several instances where parties had questions about the CDC moratorium and the process for filing appeals with courts. TRLA further supported tenants in filing appeals by submitting the required payment to the court in the amount of one-month’s rent to process the appeal that allowed their cases to be re-heard.

The FY 2021 General Fund Revised Budget includes \$200,000 in funding for the Right to Counsel program as well as \$300,000 for a new legal kiosk intervention so that Right to Counsel services could have a broader reach. This funding was approved as part of the FY 2021 Adopted Budget to transition the “pilot” phase of this program could transition to a recurring permanent program since the program proved its value to help tenants. The new legal kiosks funding allows for the purchase of technology for 4 to 6 legal kiosks to be located throughout the City and materials for one mobile kiosk. It is anticipated that not all the \$300,000 will be utilized for technology acquisition. ITSD, NHSD, and the Municipal courts are working together to launch the kiosks. The legal kiosks will serve as intake points for low-income San Antonio households in need of legal aid services. Residents can use these kiosks to connect to Right to Counsel (RTC) and municipal court services, as well as video chat with court staff or Right to Counsel attorneys.

ISSUE:

The City issued a Request for Proposals (RFP) for the Right to Counsel (RTC) Program on December 23, 2020. The RFP included core legal services such as streamlining the eviction settlement and dismissal process, providing training to City staff on the eviction process, and providing legal consultation to resolve pending eviction cases. In addition to RTC services, the RFP sought a vendor to staff new legal kiosks in development in collaboration with ITSD and the Municipal Court. These kiosks will be located in the courts, in libraries, and other to-be-determined locations. They will serve as intake points with video conferencing ability for RTC clients to speak with TRLA staff directly. In addition to stationary kiosks, the selected vendor will staff a mobile legal aid kiosk to ensure access for people living unsheltered.

The Finance Department, Purchasing Division on behalf of the Neighborhood and Housing Services Department, released a Request for Proposals (RFP) to select legal counsel services. The RFP was advertised in the San Antonio Express-News, TVSA channel, the City’s Bidding & Contracting Opportunities website, the San Antonio e-Procurement System (SAEPS) and an email notification was released to a list of potential Respondents. The proposals were due on January 29, 2021. A total of one (1) firm responded to the RFP and was deemed eligible for review.

Due diligence conducted for the respondents to the above solicitation included a search of federal and state debarment lists, prohibited political contributions, conflicts of interest, delinquent City/County taxes, outstanding payments to the City, payment of state franchise fees as well as a search of the internet for pertinent business information. No material findings were noted that would prevent the City from awarding to the selected vendor.

The Evaluation Committee consisted of representatives from the Neighborhood and Housing Services Department who reviewed and scored the proposals on February 24, 2021. The proposals were evaluated and scored on Experience, Background, and Qualifications (30 points); Proposed Plan (25 points); Price (20 points); the Small Business Economic Development Advocacy (SBEDA) Program (10 points); the Local Preference Program (10 points) and the Veteran-Owned Small Business Preference Program (5 points). Texas RioGrande Legal Aid, Inc. was recommended for award by the evaluation committee based on consensus scoring.

This contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program. The Goal Setting Committee applied the Small and Minority/ Women-Owned Business Enterprise Prime Contract (SBEDA) Program with five (5) SBE Prime Contract Program evaluation preference points awarded to a vendor if they are certified as SBE located within the San Antonio Metropolitan Statistical Area and five (5) M/WBE Prime Contract Program evaluation preference points awarded to a vendor if they are certified as M/WBE located within the San Antonio Metropolitan Statistical Area. However, Texas RioGrande Legal Aid, Inc was not eligible to receive any preference points.

The RFP was for a maximum amount of \$125,000. Staff requests the flexibility to utilize any dollars remaining from the kiosk purchase for direct services under this contract. For that reason, staff requests the ability to award up to \$200,000 this fiscal year as needed. Funds will be utilized to streamline the eviction settlement and dismissal process, provide legal consultation via telephone or virtual meeting platform to resolve pending eviction cases while at the courthouse and/or at a legal kiosk located at sites throughout the City.

Performance measures will be submitted monthly and tracked on a regular basis. They will include number of households given legal advice, receiving representation in court or administrative hearing, number of Know-Your-Rights trainings, and others as well as demographic information about all households.

ALTERNATIVES:

Council can deny this request however with the existing TRLA contract expiring and the eviction moratorium coming closer to an end, this would eliminate the legal support provided by the city to our most vulnerable residents.

FISCAL IMPACT:

This ordinance approves a contract with Texas RioGrande Legal Aid in an amount up to \$200,000. Funds for this contract are available from the FY 2021 General Fund Budget.

RECOMMENDATION:

Staff recommends awarding a contract in an amount not to exceed \$200,000 to Texas RioGrande Legal Aid (TRLA) for legal services related to the Right to Counsel Program. This agreement is procured by means of Request for Proposals and the Contracts Disclosure Form is attached.