

Jim Smith, President/Chairman
Blake Brueckner, Vice President
Gordon McIver, Secretary



Glenn Walsh, Treasurer
Paul Hansen, Director

REQUEST FOR PROPOSAL FOR LEGAL SERVICES

I. GENERAL INFORMATION

A. Purpose. The Pagosa Area Water and Sanitation District (District) is requesting proposal from qualified law firms and individual attorneys to provide General Counsel, Urban Renewal Authority representation and Water Rights legal services to the District. The District is a quasi-municipal corporation and political subdivision of the State of Colorado organized under Colorado Revised Statutes Title 32.

B. Who May Respond. Only attorneys who are currently licensed to practice law in Colorado and maintain an office in Colorado, or law firms including such attorneys

C. Instructions on Proposal Submission.

1. **Closing Submission Date.** Proposals must be submitted no later than 10:00 a.m. on September 30, 2020.

2. **Inquiries.** Inquiries concerning this RFP should be sent to:

Justin Ramsey, PE
District Manager
Pagosa Area Water and Sanitation District
justin@pawsd.org

3. **Conditions of Proposal.** All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Offeror and will not be reimbursed by District.

4. **Instructions for Prospective Contractors.** Your proposal should be addressed as follows:

Justin Ramsey, PE
District Manager
Pagosa Area Water and Sanitation District
PO Box 4610
Pagosa Springs, CO 81147

The Offeror's proposal shall be submitted in a sealed envelope clearly marked in the lower left-hand corner with the following information:

PAWSD
www.pawsd.org

100 Lyn Avenue
Pagosa springs, Colorado 81157

(970) 731-2691
FAX (970) 731-2693

Justin Ramsey, PE
Request for Proposal
Due September 30, 2020 10:00 a.m.
SEALED PROPOSAL For Legal Services

Failure to do so may result in a premature disclosure of your proposal. It is the responsibility of the Offeror to insure that the proposal is received by the District by the date and time specified above. Late proposals will not be considered.

5. **Right to Reject.** The District reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposal will be drafted based upon the factors described in this RFP.

6. **Notification of Award.** It is expected that a decision selecting the successful Firm will be made within four (4) weeks of the closing date from the receipt of proposals. Upon conclusion of final negotiations with the successful Firm, all Offeror's submitting proposals in response to this Request for Proposal will be informed of the name of the successful consultant. It is expected that the contract shall be for one year with the four renewal options.

D. Description of Entity. Pagosa Area Water and Sanitation District is a quasi-municipal corporation and a political subdivision of the State of Colorado organized under Colorado Revised Statutes Title 32. The District was originally formed in 1971 and reorganized as the Pagosa Area Water and Sanitation District in 1977. The District encompasses approximately 76 square miles in the San Juan Mountains of southwestern Colorado, and includes within its boundaries the Town of Pagosa Springs and unincorporated areas of Archuleta County. PAWSD is governed by a five member Board of Directors who must be electors of the District as defined by state law and are elected to overlapping four year terms of office at successive biennial elections. The District employs 29 people. Administrative offices are located at 100 Lyn Avenue in Pagosa Springs Colorado.

II. **SCOPE OF SERVICES.** The Offeror shall be readily available to perform the following legal services, as requested by the District Manager and/or Board of Directors.

A. Act as legal counsel for Board Members, District Manager, Department Heads or District Employees.

B. Familiarity with Colorado Revised Statutes Title 32 Special District requirements, District by-laws, rules and regulations, state or federal laws and to inform regarding any legislative matters or changes that may affect the District.

C. Electronic filing of Order for Inclusion and Special District Public Disclosure Documents with District Court.

- D.** Review, draft and negotiate bonds, contract and leases.
- E.** Advise on legal issues.
- F.** Advise on individual labor and employment matters.
- G.** Review personnel, fiscal and other policies, as well as by-laws.
- H.** Attend Board of Directors and Committee meetings as necessary.
- I.** Advise on government grant and contract issues.
- J.** Advise on responses to subpoenas, court orders, and requests for information from third parties.
- K.** Defend lawsuits, administrative claims, or other legal claims.
- L.** Conduct litigation as necessary.
- M.** Aid in elections.
- N.** Represent the District in Water Court in Diligence Cases and other water rights issues.
- O.** Represent the District in Negotiations with the Town of Pagosa Springs Urban Renewal Authority Board.
- P.** Other legal services as needed.

Offeror shall be prepared to submit detailed billing statements for all services billed at an hourly rate, if any, broken down into time increments of no more than a quarter hour. Offeror shall also include summaries of work performed and time spent on services performed.

III. PROPOSAL CONTENTS. The Offeror, in its proposal, shall, as a minimum, include the following:

A. Legal Experience. The Offeror should describe its legal experience, including the names, addresses, contact persons, and telephone numbers of at least three clients, preferably organized under and operating under Colorado Revised Statutes Title 32. Experience should include the following categories:

1. Experience advising Special Districts operating under Colorado Revised Statute Title 32.
2. Experience advising clients conducting similar programs.

3. Experience running elections under Colorado Revised Statute Title 32.
4. Experience in Colorado Water Law.
5. Experience in Colorado Urban Renewal Authority statutes.

B. Organization, Size, Structure, and Areas of Practice. If the Offeror is a firm, it should describe its organization, size, structure, areas of practice, and office location(s).

C. Attorney Qualifications. The Offeror should have experience in the areas listed above. The Offeror should describe the qualifications of attorneys, paralegals, and legal assistants assigned to the representation. Descriptions should include:

1. Experience and expertise of Colorado Revised Statute Title 32.
2. Professional and education background.
3. Overall supervision to be exercised.
4. Prior experience of the individual with respect to the required experience listed above. Only include resumes of individuals likely to be assigned to the representation. Education, position, years and types of experience and continuing professional education will be considered.

D. Disciplinary Actions. Please describe any instances of discipline by the Bar or any ethics complaints to the Colorado Independent Ethics Commission regarding the firm or individuals within the firm that may be participating in District representation. Please describe the outcome or status of the discipline or complaints.

E. Price. The Offeror's proposed price should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research, copies, and faxes. The District reserves the right to negotiate with the Offeror on the structure of the billing.

IV. **PROPOSAL EVALUATION.**

A. Submission of Proposals. All proposals shall include an original and six copies and one electronic copy in PDF format.

B. Evaluation Procedure and Criteria. The Districts Manager and appropriate staff will review proposals and make recommendations to the Board of Directors for final approval. The District Manager and/or Board of Directors may request a meeting with some qualified Offeror's prior to final selection. Proposals will be reviewed in accordance with the following criteria:

1. Level of experience of the individual(s) identified to work on behalf of the District.

2. The Offeror's experience with similar clients and legal matters.
3. Response from references.
4. Cost.
5. Interviews, if conducted.