



REQUEST FOR PROPOSALS AND QUALIFICATIONS (RFP)

BOARD COUNSEL

TRUCKEE MEADOWS WATER AUTHORITY
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The Board of Directors of the Truckee Meadows Water Authority (TMWA) is seeking proposals and qualifications for legal services required by the Board.

Background

The Truckee Meadows Water Authority is a not-for-profit, community-owned water utility governed by a Board of Directors appointed by Reno, Sparks, and Washoe County. The purpose of the RFP is to solicit qualified applicants to provide legal services to the Board consistent with the scope below. The Board meets in public approximately 12 times a year and in closed-door sessions as needed. The duration of regular Board meetings is typically 2-3 hours.

Minimum Qualifications

Lawyers must be licensed to practice law in Nevada and be a member in good standing with the State Bar of Nevada. Qualified applicants will preferably have five (5) or more years of representing local governments in Nevada. Lawyers should have knowledge of and demonstrate substantial experience with laws and regulations in the following areas: Nevada Open Meeting law, administrative law, local government law, and general civil law and procedure.

Scope of Work

Lawyers must be able to work independently, identify and provide a broad range of legal services required by the Board including the following:

1. Work with TMWA staff to ensure that all meeting agendas and minutes comply with Nevada Open Meeting Law.
2. Provide legal representation at all TMWA Board meetings and its subcommittees, including, but not limited to, Legislative Subcommittee and Citizens Standing Advisory Committee. The Legislative Subcommittee meets approximately 6 times during legislative sessions and 2 times during interim sessions. The Standing Advisory Committee meets quarterly approximately 4 times per year. The duration of these meetings is typically 1-2 hours.
3. Draft and review legal documents as needed.
4. Address specific Open Meeting Law and other statutory compliance issues.
5. Provide an annual written report to TMWA's financial auditors regarding pending or threatened litigation, claims, or assessments.

Proposal Submittal Requirements

Proposal Submittal

Proposals may be delivered by email and must be received no later than April 28, 2023. Electronic submittals must be identified in the subject area as relating to the Legal Services RFP.

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Proposals should be organized consistent with the outline provided below under Proposal Format.

Proposal Format

Proposal must be structured, presented, and labeled in the following manner:

1. Cover Letter
3. Applicant/Firm Information
4. Applicant/Firm Background
5. Applicant/Firm Qualifications
6. Principal Attorneys
7. References
8. Pricing
9. Potential Conflicts
10. Additional Information

Failure to follow the specific format, to label the responses correctly, or to address all of the subsections may, at TMWA's sole discretion, result in the rejection of the Proposal.

Proposals shall not contain extraneous information. All information presented in the Proposal must be relevant in response to a requirement of this RFP, must be clearly labeled, and, if not incorporated into the body of the proposal itself, must be referenced to the appropriate place within the body of the proposal.

Cover Letter

The Proposal must include a cover letter which references and responds to each of the following bulleted items.

- Signature of an officer empowered to bind the Applicant to the provisions of this RFP and any contract awarded pursuant to it.
- This section of the proposal should provide a concise synopsis of Applicant's proposal and credentials to deliver the services sought under the RFP. Provide a general overview of the Applicant's philosophy for Board Counsel services and approach.
- A statement indicating the proposal remains valid for at least 90 days from the Deadline for Receipt of Proposal, with automatic extension should the proposer be selected for negotiation.
- A statement that the Applicant, or any individual who will perform work, is free of any conflict of interest (e.g., employment by TMWA or a competing corporate or agency interest).

Please limit the Cover Letter to three pages.

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Applicant/Firm Information

This section of the proposal must include the following company Information:

- Provide the legal entity name, Federal Employer Identification Number (EIN), and form of business (i.e. Corporation, LLP, etc.).
- Provide the Proposal contact name, address, phone number, and email address.
- Identify the principal attorney who will serve as Board Counsel and any other functions requested under Scope of Services.
- Identify the location of company headquarters.

Applicant/Firm Background

This section should identify the following:

- A description of the Applicant's background, nature of business, and organizational history.
- A statement describing Applicant experience providing legal services to local agencies.
- Location of office that will be providing services.
- Awards, honors or public recognition of you, your firm, or both, concerning the provision of legal services.

Applicant/Firm Qualifications

In this section of the proposal, the Applicant should identify firm/staff qualifications and experience in the scope of work. More specifically, this section should identify the following:

- Experience, in detail, of providing government/municipal legal services.
- Experience, in detail, working with Nevada local government agencies.
- List all public clients for whom you currently provide services under a fee for service or retainer basis. Indicate the meeting dates and schedules for any public bodies for the prospective lead attorney.

References

The Applicant must provide three to five (3-5) references. At least two of the references should be for similar services provided in the last three years. For each reference, Applicant should provide the following information and permission to contact each reference:

- Entity name
- Customer contact information (name, title, phone, and email)
- Scope of work performed identifying the services provided
- Start date

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Fee Schedule/Pricing

The selected applicant will be required to provide services as Board Counsel. Please provide an hourly rate for all of the individuals proposed.

Potential Conflicts

This section should address potential conflicts, if any, and how the attorney/firm would propose addressing such conflicts.

Submission Information

All responses must be received by email to boardclerk@tmwa.com by 5 p.m. PDT on April 28, 2023. During open session, all candidates must be prepared to give a brief presentation to, and answer questions from, the Board in person at the May 18, 2023 Board meeting, which begins at 10 a.m. PDT.