

Request for Proposals to Provide General Legal Services

Issue Date: October 28, 2008

Due Date: December 1, 2008

The Local Agency Formation Commission (LAFCO) of Yolo County is accepting proposals for a one-year contract, with an up to two-year extension, to provide conflict of interest legal counsel services to LAFCO. The selected contractor will serve at the discretion of the Commission and work under the direction of the Commission's Executive Officer. **Proposals are due by Monday, December 1, 2008 at 5 pm, no faxes or email.**

LAFCO Overview

The Local Agency Formation Commission of Yolo County is an independent agency. Created by the State legislature, LAFCO regulates the boundaries of cities and most districts. Purposes are to encourage the orderly and logical formation of local government agencies, preserve agriculture and open space lands, and discourage urban sprawl. Enabling legislation is contained in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and amendments.

With an annual budget of approximately \$400,000, LAFCO is locally funded by the County of Yolo and 4 cities: Davis, West Sacramento, Winters and Woodland. Policy direction is provided by a five-member Commission (plus alternates) of county, city and public representatives. The Executive Officer reports directly to the Commission and performs all duties necessary for the proper and efficient management of LAFCO, as determined by the Commission and state law. A small professional staff provides support to the Commission. The annual work program, meeting agendas, staff reports, policies, procedures, forms and other information are posted on our website (www.yololafco.org).

General counsel services are currently provided under contract with the Yolo County Counsel's office. Special counsel services are anticipated to be provided by private law offices when necessary, in particular when County Counsel has a conflict or insufficient resources for the situation.

Qualifications

The Yolo LAFCO is seeking a contractor that is committed to providing the highest quality legal representation to public sector clients, and with proven expertise in State, municipal, environmental and special district laws. The successful contractor will have experience in providing legal services to cities, counties and special districts, and preferably to LAFCO agencies.

COMMISSIONERS

★ Public Member Olin Woods, Chair ★

★ County Member Matt Rexroad, Vice Chair ★

★ City Members Tom McMasters-Stone, Stephen Souza ★ County Member Helen M. Thomson ★

ALTERNATE COMMISSIONERS

★ Public Member Robert Ramming ★ City Member Skip Davies ★ County Member Mariko Yamada ★

STAFF

★ Executive Officer Elizabeth Castro Kemper ★ Senior Management Analyst Elisa Carvalho ★

★ Commission Clerk Terri Tuck ★ Commission Counsel Stephen Nocita ★

Required qualifications include familiarity with the function and purpose of Local Agency Formation Commissions, and knowledge of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and amendments. The successful contractor will also have expertise in public agency law and in advising public officials, administrators and employees on the complex and frequently changing laws pertaining to local government administration, organization, regulations, transactions and litigation matters. Typical matters include statutory compliance, contracting, the California Environmental Quality Act, the Brown Act, ethics and conflict of interest law, public records request law, personnel and employment, and intergovernmental relations. Also desirable is experience in real estate, real property tax, land development, planning and zoning laws, litigation and other legal issues that are routine with a LAFCO agency.

Greater weight in the selection process will be given to contractors with LAFCO experience and expertise.

Typical Responsibilities

- Serve as LAFCO legal counsel in Commission matters when special counsel is required.
- Attend all regular LAFCO meetings (approximately 10 per year) and special meetings when required as special counsel. Regular meetings are generally held the 4th Monday of each month, at 9:00 a.m. The annual calendar for the commission meetings are posted on the Yolo LAFCO website.
- Attend in-person meetings with the Executive Officer and/or Commission committees when required as special counsel, and maintain frequent telephone and e-mail contact as needed.
- Provide general advice to the Executive Officer, when requested, on Commission matters.
- When used as special counsel, review specified agenda items and assist in preparation of agenda documents, as necessary (staff reports, resolutions, administrative items, etc.).
- When used as special counsel review CEQA documents and assist in preparation of environmental documents, as necessary.
- Prepare legal opinions on specified issues.
- Prepare and/or review contracts and indemnification agreements in special situations, upon request.
- Prepare occasional reports and present information at public hearings and represent as counsel during meetings in which county counsel has a conflict, or is not available.
- Represent the Commission in litigation matters, when general counsel for the Commission has a conflict of interest or is not available. Matters requiring litigation may require a contract amendment depending upon the complexity of the matter.

Term of Agreement

The term of the proposed agreement shall be for one year, with an option to extend the agreement for up to two additional years.

Required Information

If you are interested in providing services, please submit the following information to the LAFCO office:

- Name, address and telephone number of your law office, and the name of contact person.
- Statement of qualifications of the law office. Describe the office's background and experience in providing general legal services to government agencies.
- Identification and resume of the specific individual(s) who would serve as LAFCO special counsel, and the availability of that individual to attend regular and special meetings of LAFCO.
- Proposed hourly charges for the designated individual(s) and billing policies. Rates for litigation should be stated if different from rates for advisory service.
- Information about policy on travel time, travel rates/expenses, proposed adjustments and estimated travel costs for each in-person meeting.
- List of representative clientele of the law office and of the individual who would serve as LAFCO Counsel. Please include contact information for references, and permission to contact references.
- Statement regarding any potential conflicts of interest.
- Any other information that you may believe would assist the Commission in reviewing the qualifications of your law office and the identified individual who would serve as LAFCO Counsel.

Submission of Proposals

Please deliver four copies of your proposal with a cover letter that includes the following:

- The letter must be signed by an individual who is authorized to bind the law office to a contract.
- A statement that the proposal is valid for 90 days from the due date of the proposal.
- The name, title, address and telephone number of the individual to whom correspondence and other contacts should be directed during the selection process.

Proposals to provide general legal services must be received in the LAFCO office by **5 p.m. on December 1, 2008**. Please address your proposal to:

**Elizabeth Castro Kemper, Executive Officer
Yolo County LAFCO
625 Court Street, Suite 107
Woodland, CA 95695**

Selection Criterion

- A. Expertise and Experience of the Law Office and Key Individual: This includes the law office's experience in comparable government engagements; the quality, experience, expertise and depth of the professional personnel to be assigned to the engagement, and the adequacy of the office's continuing professional education program for its professional personnel. Greater weight in the selection process will be given to contractors with LAFCO experience and expertise.
- B. Cost: The cost proposal to perform the requested services.
- C. Availability as needed for special circumstances.

Selection Process

The proposals will be screened and ranked by an ad hoc committee of the Commission. The most qualified firms will be requested to make presentations to the full Commission based on their proposal. The full Commission will deliberate and determine the successful bidder. A Professional Services Agreement will be executed with the successful bidder.

LAFCO reserves the right not to award a contract, to modify the scope of services required as necessary, and to accept or reject any or all submittals received as a result of this RFP.

Information

Thank you for your interest. For further information, please contact Elizabeth Castro Kemper, Executive Officer, at (530) 666-8048.