

APPOMATTOX RIVER WATER AUTHORITY
SOUTH CENTRAL WASTEWATER AUTHORITY
REQUEST FOR PROPOSAL (RFP)
FOR LEGAL SERVICES

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1. OVERVIEW OF THE REQUIREMENT

1.1 The purpose of this RFP is to identify an individual or firm interested in providing legal services.

1.2 Appomattox River Water Authority (ARWA) and South Central Wastewater Authority (SCWWA) are governed by a Board of Directors consisting of appointed members who establish policy and execute the business of ARWA/SCWWA through the Executive Director.

1.3 The legal services provider must deliver timely legal services that support the daily operations of ARWA/SCWWA and shall provide services to the Board of Directors in matters of official ARWA/SCWWA business.

1.4 ARWA/SCWWA is an Affirmative Action/Equal Opportunity Provider and Employer. Small, Minority and Women-Based Enterprises are encouraged to submit proposals.

2. REQUEST FOR PROPOSAL

2.1 Inquiries

All inquiries related to this RFP are to be directed to Robert B. Wilson at (804) 590-1145 ext. 101 and rwilson@arwava.org. Information obtained from any other source is not official and should not be relied upon.

2.2 Submitting a Response

Respondents should deliver a signed hard copy to the address noted below as well as one electronic copy via email attachment to Robert B. Wilson at rwilson@arwava.org by 2:00 p.m. on December 12, 2022.

Robert B. Wilson
Appomattox River Water Authority
21300 Chesdin Road
South Chesterfield, VA 23803

Responses and their envelopes should be clearly marked with the name and address of the respondent and the title of this RFP "Appomattox River Water Authority/South Central Wastewater Authority Legal Services".

2.3 Acceptance of Responses

An acceptable response shall fully address the submission requirements, be legibly signed in ink by the respondent, and be submitted on time to the proper address. Any response that does not comply with the instructions provided shall not be accepted.

2.4 Review and Selection Process

The proposals will be reviewed against the mandatory criteria; responses not meeting all mandatory criteria will not be considered for review.

2.5 Contract Duration

The lawyer(s) selected will serve as ARWA/SCWWA "as-needed" legal consultant(s) for a period of two (2) years from the signing of the professional services contract. ARWA/SCWWA reserves the right to terminate the contract when it is determined it is in the best interest of ARWA/SCWWA. ARWA/SCWWA may also elect to renew the annual contract for an additional three years.

3. SERVICES

The qualified respondent shall provide the following services:

- 3.1** Provide timely legal counsel for ARWA/SCWWA Board of Directors while ensuring all requests for legal services are promptly addressed with the highest priority.
- 3.2** Act as Bond counsel.
- 3.3** Represent the Authority in litigation proceedings.
- 3.4** Recommend, prepare, and present ordinances and resolutions for the approval of ARWA's Board of Directors.
- 3.5** Assist with all legal issues related to the acquisition, disposal, transfer, and management of real estate and property.
- 3.6** Develop and implement internal and external agreements, service contracts, easement agreements, employee related actions, etc.
- 3.7** Attend all regular and special meetings of the Board of Directors of ARWA/SCWWA and actively participate in meetings at the request of the Executive Director.
- 3.8** Review, research, and render written legal opinion on questions at the request of the Board of Directors or Executive Director in regard to all legal issues.
- 3.9** Apprise the Board of Directors in the law requiring compliance, policy, proposals, applications, submissions, and/or other documents requiring compliance, policy development or other legal action.
- 3.10** Prepare and/or review contracts, leases, bid specifications, bid proposals, or other documents requiring execution or other action by ARWA/SCWWA.
- 3.11** Litigation and Environmental Services.

4. EVALUATION CRITERIA

The qualified respondent shall possess the following criteria:

- 4.1** Licensed to practice law in the Commonwealth of Virginia.
- 4.2** Experience in municipal law and litigation and tort claims law.
- 4.3** Experience with regard to Resolution and Ordinance preparation.
- 4.4** Experience representing a government entity in a manner that demonstrates the respondent's trustworthiness and adherence to high ethical standards.
- 4.5** Experience and an ability to effectively represent a publicly appointed board.
- 4.6** Experience responding to legal inquiries on behalf of government officials, local government personnel, and local government agencies and commissions.
- 4.7** Experience preparing and proposing legislation.
- 4.8** Experience providing counsel and advice to a local government on issues involving sovereign immunity, official immunity, and open meetings and open records.
- 4.9** Experience in real estate law that directly involves governmental entities, including experience in right of way acquisition & eminent domain.
- 4.10** Experience in developmental land use planning, environmental laws, rules, and regulations, including experience in wetland mitigation and water resource management.
- 4.11** Experience with contracts, leases, bid specifications, bid proposals, and other documents requiring execution.

5. SUBMISSION REQUIREMENTS

In order to be considered for this position, qualified applicants should submit the following information no later than 2:00 p.m. on December 12, 2022.

- 5.1** Statement of interest as to why respondent would be the ideal candidate.
- 5.2** Resume outlining the respondent's experience and qualifications.
- 5.3** Copies of any professional certifications.
- 5.4** A response to each of the Evaluation Criteria described in section 4.
- 5.5** Sample of a report or correspondence related to this type of position that was personally prepared by the respondent without external review or assistance.
- 5.6** At least three professional references that ARWA/SCWWA may contact in order to validate the respondent's experience, trustworthiness, and high ethical standards.
- 5.7** Applicant shall specify all costs associated with performing the requirements of the legal support professional services contract whether such costs are in the form of a monthly/annual retainer fee or by an annual fee that is not to exceed a specific amount; and/or a schedule of fees (direct billable), including hourly rate schedule (including paralegals) when ARWA/SCWWA shall be charged for services provided by other members of staff. Would the Authority receive a discount because of the public service nature of the Authority's activities? Are the proposed chargeable costs similar to charges to other public bodies?
- 5.8** Applicant shall also specify any reimbursable expenses, including but not limited to mileage, reproduction of documents, etc., that may be charged to ARWA/SCWWA while performing the requirements specified by the proposal.
- 5.9** A staffing plan, listing those persons who will be assigned to the engagement if the respondent is selected, including the designation of the person who would be the respondent's principal professional counsel responsible for all services required under the engagement. This portion of the proposal should include the relevant resume information for the individuals who will be assigned. The information should include at a minimum a description of the principal's relevant professional experience, years and type of experience, and number of years with the respondent.

6. GENERAL TERMS AND CONDITIONS

6.1 There are no expressed or implied obligations for ARWA/SCWWA to reimburse responding companies for any expenses incurred in preparing proposals in response to this RFP.

6.2 ARWA/SCWWA reserves the right to request clarifications regarding information submitted as well as request additional information from one or more parties submitting proposals.

6.3 By submitting a proposal, a party certifies that it has fully read and understood this RFP, and has full knowledge of the nature, scope, quantity, and quality of the work to be performed; the requirements of the services to be provided and the conditions under which the services are to be performed. Failure to do so will not relieve the successful proposing legal firm of its obligation to enter into a contract and to completely perform the contract in strict accordance with this RFP.

6.4 Proposals may not be withdrawn or revoked for a period of sixty (60) days after date of opening.

6.5 Ownership of all data, materials, and documentation prepared for and submitted in response to this RFP shall belong exclusively to ARWA/SCWWA and will be considered a public record and subject to public inspection.

6.6 ARWA/SCWWA Board of Directors reserves the right to reject any or all proposals, call for new proposals, waive any informalities in a proposal, and to select the qualified parties. ARWA's Board of Directors reserves the right to accept, reject, and/or negotiate any and all proposals or parts of proposals deemed by the Board to be in the best interest of members of ARWA/SCWWA.

6.7 This RFP shall be governed in all respects by the laws of the Commonwealth of Virginia and the successful proposing parties shall comply with all applicable federal, state, and local laws and regulations.

6.8 By submitting their qualifications, all proposing companies certify that they are not currently debarred from submitting bids or proposals on contracts by any agency of the Commonwealth of Virginia and the federal government, nor are they an agent of any person or entity that is currently debarred from submitting bids on contracts by any agency of the Commonwealth of Virginia or the federal government.