

REQUEST FOR PROPOSALS FOR GENERAL COUNSEL AND LEGAL SERVICES

OBJECTIVE:

Due to the pending retirement of its current attorney, the North Pecos Water and Sanitation District (the “District”) seeks proposals from experienced individuals and firms for the provision of on-going general legal services. The firm/ attorney selected for this position will report directly to the Board of Directors and work with the District Manager.

INTRODUCTION AND BACKGROUND:

The District is a quasi-municipal corporation and political subdivision of the State of Colorado, established under the Special District Act (Colorado Revised Statutes, Title 32, Article 1). The District was formed in 1963 to provide basic potable water and wastewater sewer services within its service area and currently serves approximately 700 customers.

The District’s service area is an irregular shape. It is primarily located in unincorporated Adams County, extending from approximately Highway 36 southerly to include a small area near 52nd Avenue in the City and County of Denver. The other coordinates of the service area generally extend from I-25 westerly towards Pecos Street.

The District has a Master Meter Distributor’s Contract with the Denver Water Department (“Denver Water”). Water is purchased by the District wholesale from Denver Water and is measured through metering stations.

The District also participates in a Special Connectors Agreement with the Metro Water Recovery (“Metro”). The District pays Metro annual charges based on flows and strength of wastewater flows measured at the connection point of the District’s waste water lines with Metro.

The District does not own or operate any separate water supply or wastewater treatment facilities.

An elected five-member Board of Directors is the governing body for the District. The District just completed the May 2022 election cycle and was able to cancel it because the number of applicants did not exceed the available positions. At present the District does not anticipate any vacancies or changes in Board membership during the next year.

Regular meetings of the Board of Directors are normally held on the second Tuesday evening of each month at the District Office, 6900 North Pecos Street, Denver, CO

80221. Due to Covid 19 safety concerns meetings have been held remotely since the spring of 2020.

District staff consists of a part-time contracted District Manager, two full-time office employees, and two full-time field employees. Official business hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

A statutorily required annual audit is conducted through an independent auditing firm. The most recent audit report covers the period ending on December 31, 2020. This audit indicated that the District's assets exceeded its liabilities by approximately \$11,983,000. The largest portion of this net position is based in fixed capital assets, but does include approximately \$5,300,000 in unrestricted cash investments.

The District prepares its statutorily required annual budget on a modified accrual basis of accounting. The Board approved budget for the calendar year 2022 estimates revenues of approximately \$5,616,000 and expenses of approximately \$6,560,000.

The District does not currently assess property taxes or have any bonded or long term debt.

For more information, you may also visit:

the District's website:

or the Colorado Division of Local Government:

<http://cdola.colorado.gov/local-government/>

TIMELINE FOR SELECTION:

Date of this Request: April 12, 2022

Proposal Submittal Deadline: 4:00 pm May 10, 2022

Interviews: between June 1 and June 10, 2022

Expected Selection by Board: June 14, 2022

SUBMIT PROPOSALS ELECTRONICALLY TO THE DISTRICT'S PRESIDENT:

Dennis Towndrow

President and Chairman of the Board of Directors

at: dtowndrow@northpecoswater.org

with a copy to:

James R. Landry

District Manager

North Pecos Water & Sanitation

at: manager@northpecoswater.org

SCOPE OF WORK:

The provision of all basic legal services required by a Title 32 special district entity that provides water and sewer services; assure that the District complies with all required statutes, rules and laws; attend Board of Director meetings; respond to Board requests for investigation and research on legal issues; prepare, negotiate, review and analyze contracts, agreements and other documents as necessary or when requested by the Board or the District Manager.

PROPOSAL SUBMITTAL REQUIREMENTS:

Proposals should include the following:

1. Complete contact information.
2. Firm overview and profile, including typical legal services provided to clients.
3. Please identify the individual(s) or team members who would likely serve the District, their resumes, titles and experience with Colorado Title 32 Special Districts and public sector clients.
4. Proposed approach for management of legal services to assure timely, efficient and quality performance to the District.
5. Proposed hourly rates for services to be provided by partners, associates, law clerks, paralegals and administrative personnel.
6. Experience representing water and sanitation entities.
7. Experience with contract law, in particular, vendor contracts, construction contracts and Inter- Governmental Agreements.
8. Experience in real estate law, in particular, water and sewer easements and title commitment reviews.
9. Experience in public sector finance.
10. Disclosure of any potential conflicts of interest with respect to representing the District.
11. Proof of professional liability insurance and limits.
12. Availability to commence work and your proposed timeline to coordinate transition from the District's current counsel to you or your firm.
13. References from three clients, preferably including Title 32 or public sector clients, and your permission for the District to contact them.
14. Responders may submit other information they consider relevant to this request for proposals.

The District requests that you limit your submittal information to not exceed 8 pages.

SELECTION PROCESS:

The District's Board of Directors will review the proposals received and identify responders who best meet its needs. Interviews will be scheduled with these responders.

The District's Board will select its preferred responder upon the completion of the interviews and any relevant deliberations.

A preferred responder will be designated by the Board of Directors, and a Letter of Engagement negotiated. If mutually acceptable engagement terms are not reached with the preferred responder the District may terminate any further negotiations and select another responder.

DISCLAIMERS:

This request for proposals shall not be construed to create any contract rights. The District reserves the right to reject any and all proposals in its sole discretion.

The responder shall bear the cost of preparing any submittals and participation in any interviews or meetings with the District's Board of Directors prior to the award of any contract.

The District may request additional information from any respondent at any time during the evaluation and selection process.

The District is subject to the Colorado Open Records Law. It considers information provided to it by responders to this request to be proprietary working documents when under evaluation and not subject to public inspection.

Any questions related to this request for proposals, or for further information about the District prior to the Submittal Deadline should be directed to the District's current attorney, Pat Dowdle, by email at pdowdle@northpecoswater.org or pddowdle@gmail.com, or by cell phone at 303-818-2810.

Respectfully submitted,

Dennis Towndrow
President and Chairman of the Board of Directors
North Pecos Water and Sanitation District