



PINE-STRAWBERRY WATER IMPROVEMENT DISTRICT

Request for Qualifications for Attorney Services

Proposal Due Date: March 21, 2018

The Pine-Strawberry Water Improvement District (PSWID) requests a statement of qualifications for contracted attorney services. Sealed proposals are due in the PSWID Office, P.O. Box 134, Pine, AZ 85544 by close of business on March 21, 2018 and should be addressed to Robert Arbuthnot, PSWID Chairman. Sealed proposals should be labeled "Do Not Open" along with the RFQ # 2018.001. Proposals submitted by facsimile and late proposals will not be accepted. PSWID seeks services encompassing the traditional scope of work including legal counsel and rendering of opinions to the PSWID Board. Attendance at PSWID board meetings, sub-committee meetings, and other meetings related to District business may occasionally be required. A more detailed statement of services is provided in the scope of work described below.

Background Information

The Pine-Strawberry Water Improvement District is located in the northwest portion of Gila County and provides water to almost 8,000 customers through 3,200 service connections. The District provides water that is supplied exclusively by groundwater pumped from the District's wells which draw water from the Lower Verde River watershed. In 2016, PSWID produced nearly 105 million gallons of water from its 17 wells and 8 water sharing agreements. The District has multiple storage tanks and booster stations and approximately 58 miles of main service lines.

The District was formed by Gila County in June of 1996. PSWID is a public water system governed by an elected seven member Board of Directors that began operating the system on October 1, 2009 following the completion of the purchase from a private owner. The system operates under the authority of the Arizona Department of Environmental Quality (ADEQ) and is classified as a Grade 3 – Water Distribution System and a Grade 1 – Water Treatment System. The District also operates under the Arizona Department of Water Resources (ADWR) as a Community Water System.

PSWID is self-performance operated and maintained as of December 1, 2018. The PSWID Board, through its bylaws, independently contracts for professional services. The Board typically meets on the third Thursday of each month in Pine.

Additional information about the Pine-Strawberry Water Improvement District can be found at www.pswid.org.

Communications

All communications related to responding to this Request for Qualifications are to be directed to Forrest McCoy, PSWID Chairman of the Support Services Committee at forrestm@pswid.org, (928) 978-5445.

Scope of Work

1. Provide legal advice, counsel, legal research, negotiations, training, consultation and opinions to the PSWID Board on a variety of assignments including but not limited, contract generation and negotiation, grants and loans, open meetings/records, property acquisitions, procurements, employment matters, and other related legal issues associated with the representation of a governmental entity and water district. Attorney's advice includes actions required to avoid civil litigation.
2. Furnish legal representation at PSWID Board meetings and other meetings if requested.
3. Represent the District with State administrative agencies such as ADEQ and ADWR as deemed necessary.
4. Prepare and review memorandums, resolutions, contracts, and other documents for legal correctness when requested by the PSWID Board.
5. Work cooperatively with the Gila County Attorney regarding District boundaries and other County related issues.
6. Coordinate with other counsel as needed to ensure proper management of legal issues and proper coordination and transition of legal issues among legal counsel.
7. Assist PSWID Board to maintain an awareness of ethical standards and appearance of fairness standards, and to avoid potential conflicts of interest, prohibited transactions, and appearance of prohibited transactions.
8. Assist the PSWID Board to understand the legal roles and duties of their respective offices.
9. Provide the PSWID Board with guidance as to Robert's Rules of Order and related procedural matters relating to PSWID meetings.
10. Performs other legal services and tasks as assigned by the PSWID Board.

Specifications

1. The PSWID Attorney may be asked to attend PSWID meetings, work sessions or retreats.
2. The PSWID Attorney may be called upon to attend occasional community meetings and may be called upon to attend meetings related to specific projects in which the PSWID is involved.
3. The PSWID Attorney must be available by office phone, cell phone, fax and email.
4. Timeliness of response and accessibility to the PSWID Attorney by the Chairman and Board members is an important aspect of the service.
5. The PSWID Attorney must provide proof of Professional Liability Insurance coverage.

Contract Term

The PSWID anticipates a year by year agreement, with options for renewal, at the discretion of the PSWID Board. Renewal of the contract will require approval by the PSWID Board. Notwithstanding anything herein to the contrary, the PSWID attorney works at the pleasure and direction of the PSWID Board and the contract may be terminated by either party at any time, with or without cause.

Schedule

The PSWID Board provides the following anticipated schedule for completion of this process. This anticipated schedule is for information purposes only and may be adjusted as needed by PSWID.

RFQ Release Date: February 28, 2018

RFQ Submission Date: March 21, 2018

How to Respond

The sealed proposal must be submitted in writing (no facsimiles, please) on, or before 5:00 p.m. MST on March 21, 2018 addressed as follows:

Robert Arbuthnot, Chairman
P.O. Box 134
Pine, AZ 85544

The sealed envelope must clearly state "Do Not Open", RFQ # 2018.001, and that it is a Request for Qualifications for PSWID Attorney Services.

Please provide one (1) copy of a written response per sealed proposal submitted, responding to each inquiry in the order presented below.

Scope of Work - Identify any, or all of, the PSWID's outlined 'Scope of Work' that will be provided.

Professional Business History - Provide a narrative description of the firm's history.

Firm Experience - Provide a narrative description of the firm. Identify other utility districts or water districts the firm may have represented. Identify contract law, utility districts, water districts, and other related specialties. Please explain any grievances or disciplinary actions that may have been taken against the lawyer/firm.

Proposed PSWID Attorney, Team - Name and describe the attorney(s) and/or team proposed, including the designated PSWID Attorney. For each attorney on the team proposed ,please identify the law school attended, year of graduation, and year in which each passed the bar examination in Arizona. Provide a resume for each team member, with considerable detail in the experience and qualifications for the PSWID Attorney, and any significant assisting attorneys. If specialty attorneys or additional resources are available through your firm (in addition to the team), please identify them and their specialties.

Accessibility and Responsiveness - Identify the accessibility of the proposed designated PSWID Attorney, and the response time that the individual offers to PSWID, the lead time required for attending scheduled or ad- hoc meetings and identify the physical location of the PSWID Attorney's primary offices.

Proposed Fee Structure - Propose a comprehensive package, inclusive of all service costs. PSWID is open to a variety of approaches, including hourly rates or a flat monthly rate with add-ons. PSWID will select the finalist by considering the proposed compensation as a "best and final offer", although PSWID reserves the right to negotiate terms as needed to improve elements of the proposal to best meet the needs of PSWID, including cost.

References - Provide three references for the designated PSWID Attorney and any team alternates. Please note that PSWID prefers references relating to contract and water district or other utility experience. Naming of a reference is considered permission to contact the reference. PSWID may contact outside individuals, whether offered as references or not. PSWID retains the right to use such information in its decision. Submittal of a proposal is agreement that PSWID may contact and use such information.

Evaluation and Selection

Evaluation process – PSWID reserves the right to award the contract to that proposal that best meets the needs and interests of PSWID. The following steps are anticipated:

Step 1. Receive and review of qualifications and written proposals

Step 2. Initial reference and information check

Step 3. PSWID interview of finalists

Step 4. Approval of contract by PSWID

Evaluation of the written proposal - Written statements of qualifications and proposals will be evaluated by the PSWID as set forth below:

1. Applicable experience of proposed designated PSWID Attorney.
2. Depth and stability of firm or practice.
3. Interpersonal match and philosophical concurrence with PSWID core beliefs, practices and personnel.
4. Accessibility and responsiveness of both the proposed designated PSWID Attorney and any assisting attorneys.
5. Cost.

PSWID will identify and notify those applicants that will be invited to interview. PSWID reserves the right to utilize new or revised evaluation criteria.

Interviews - Interviews will be held at the sole option of PSWID. If interviews are conducted, firms should plan to have key personnel on their interview teams who will be assigned to work specified in the proposal. Short listed firms may be asked to provide supplemental or additional information for review by PSWID prior to the interviews.

Contract Negotiations - PSWID reserves the right to negotiate all elements which comprise the apparent successful proposal. PSWID representatives and the selected finalist will review in detail all aspects of the requirements and the proposal. During the review of the apparent successful proposal, the respondent may offer, and the PSWID may accept revisions to the proposal, although such suggestions are not favored.

Rejection of Proposals – PSWID reserves the right to reject any or all proposals, portions or parts thereof. Without limiting the generality of the foregoing, the PSWID may reject any proposal which is incomplete or not responsive.

Additional Instructions, Notifications and Information

Responders shall not offer any gratuities, favor, or anything of monetary value to any PSWID board member or employee of PSWID for the purpose of influencing this selection. Any attempt by the Responder to influence the selection process by any means, other than the disclosure of qualifications and credentials through proper channels, shall be grounds for exclusion from the selection process.

Responders who provide false or misleading information, whether intentional or not, in any documents

presented to PSWID for consideration in the selection process shall be excluded. Any false or misleading information in these documents would, in effect, render the entire document suspect and therefore useless.

Inquiries: Please do not contact PSWID during the selection process to make inquiries about the progress of this selection process. Responders shall be contacted when it is appropriate to do so.

Cost of RFQ: PSWID shall not be responsible for costs incurred by anyone in the submittal of qualifications or for any costs incurred prior to the execution of a formal contract.

Confidential Information: All responses shall be held confidential from other parties by PSWID to the extent allowable by law until after the selection process is completed. Responders should be aware that at the completion of the selection process the contents of their RFQ are subject to the provision of the Arizona Public Records Laws and may be made public. Confidential or Sensitive information should not be included in the RFQ.