

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

REQUEST FOR PROPOSALS LEGAL SERVICES

Subject: Legal Services

Request for Qualifications/Proposals Issued: Wednesday, February 24, 2010

Proposers are responsible for periodically visiting the Hidalgo County Regional Mobility Authority's website at <http://www.lrgvdc.org/RMA/> for any updated information.

Deadline for Questions: The deadline for providing written questions is Wednesday, March 10, 2010. Questions will only be accepted in writing by email to fkoll@hrma.org. Responses to the questions will be posted on the Authority's website at <http://www.lrgvdc.org/RMA/> by 5:00 p.m., Friday, March 12, 2010.

Qualifications/Proposals Due: Friday, March 19, 12:00 p.m. (CT)

Number of Copies: One (1) original and eight (8) copies

Submit To: Dennis Burlison, Chairman

Physical Address:
Hidalgo County Regional Mobility Authority
510 S. Pleasantview Drive
Weslaco, Texas 78596

Purpose:

The Hidalgo County Regional Mobility Authority (the "Authority") is seeking a qualified firm, firms, or individual to serve as contract attorney to the agency for general counsel services. The individual or firm(s) acting as general counsel to the Authority will provide legal services in the areas of administrative law, public law, transportation law, real estate law, contract law, employment law, and litigation. Specific responsibilities include, but are not limited to:

1. Advising the Board of Directors, committees, consultants, and staff on legal questions arising from the conduct of Authority business.
2. Preparing and/or editing and revising Authority policy when requested and/or approved by the Board of Directors.

3. Preparing, reviewing, and revising any and all contracts for Authority required goods and services and preparing for execution all contracts and other instruments authorized and/or approved by the Board of Directors.
4. Preparing all actions, charges, complaints, and appearing in the appropriate court to represent the Board of Directors; and, upon direction of the Board of Directors, defending the Authority and its officials against any claim or action against them in their official capacity unless otherwise covered by the Authority's Directors and Officers Policy.
5. Preparing formal opinions regarding any Authority legal matter or question submitted and/or approved by the Board of Directors.
6. Attending meetings of the Board of Directors and other meetings as needed.
7. Advising on matters related to open government, including the Texas Open Meetings Act and Texas Public Information Act.
8. Drafting legislation or legislative provisions as requested by the Board of Directors.
9. Training for Board of Directors and staff.

It is further understood that in addition to the general and recurring activities listed above, ad hoc duties including verbal communications with the Board of Directors, consultants, and staff on legal matters related to Authority business.

Background:

Regional Mobility Authorities are created under state law to provide regional solutions for mobility issues pursuant to Chapter 370, Texas Transportation Code. The Authority was created by Hidalgo County (the "County") and the Texas Transportation Commission and is governed by a board of seven members representing the County, the State of Texas, and the City of McAllen. Additional information on the Authority can be found at: <http://www.lrgvdc.org/RMA/>.

Statement of Qualifications:

Please provide the following information. If the respondent is a team made up of more than one law firm, please provide the following information for each firm and include a summary of how the firms will work together, including which firm/attorney will serve as the day-to-day contact and how responsibilities will be split between the firms.

1. Name of firm and year organized (include address and telephone number);
2. A list of principals or partners in the firm, include a biographical sketch of each, including education, years of applicable legal experience, and any areas of specialty;
3. The name of the attorney in the firm who will have responsibility for the Authority;

4. A list of attorneys who will provide service to the Authority, including a description of these attorneys' education, years of applicable legal experience and any areas of specialty;
5. Information related to the firm's experience representing governmental entities, including a list of current governmental clients, a contact person for each, and a telephone number for the contact person;
6. Information related to the firm's experience in the transportation sector, representing regional mobility authorities or other transportation entities;
7. Information related to the firm's experience in public procurements, including alternative delivery mechanisms;
8. Information related to the firm's experience in developing public infrastructure projects, including experience with the environmental process, financing, the legislative process, and state agency coordination; and
9. Any current clients of the firm that could cause a conflict of interest with representation of the Authority and a description of how the firm would be willing to resolve these or any future conflicts of interest.

Compensation:

The Authority anticipates payment for services on an hourly basis. However, alternative proposals including lump sum retainer, lump sum/not to exceed, hourly payment basis with an upset limit, or combination of these and others providing attractive alternatives will also be considered. Proposal shall describe the firm's fee structure and rates for general representation, litigation and/or other fees.

Selection Procedure:

From the responses received, the Authority's Executive Committee may short list firm(s) or individual(s). These firm(s) or individual(s) may be requested to interview with the Authority's Board of Directors at the Board of Director's meeting tentatively scheduled for Tuesday, March 23, 2010. Action is expected to be taken on the contact award at the March 23, 2010 Board of Director's meeting.

In selecting the successful firm under this solicitation, the Board of Directors will consider qualifications and experience. The Board of Directors may also consider fee proposals, accessibility of attorneys, and DBE/HUB/SBE certifications.

Duration of Contract:

This contract is initially expected to cover the time period from the notice to proceed through March 31, 2012. The selected firm or individual may be asked to continue

representation for a period not to exceed March 31, 2013 at which time a new solicitation may be issued.

Compliance with State and Federal Regulations:

In addition to other provisions of this RFQ the successful Proposer will be required to comply with, the conditions required by all applicable Federal and State regulations.

Insurance:

The legal firm shall be required to carry professional liability insurance of at least \$1,000,000, and upon successful acceptance of the contract, the Authority shall be named as “additional insured”. Proposals shall include delineation of the carrier and coverage limits per occurrence.

The firm shall indemnify the Authority from all suits, action, claims of any kind resulting or as a consequence of any act or omission by the firm or its employee acting under this contract for legal services.

Response:

In order to be considered, proposals must include:

1. Statement of Qualifications - addressing each of the requests for information included in the Statement of Qualifications above.
2. Rate Proposal – addressing the request for information included in Compensation above.
3. Statement of Acknowledging Insurance Requirements described in Insurance above.
4. Evidence of Certification as a DBE/HUB/SBE, if any.