



South San Luis Obispo County Sanitation District

Request for Proposals
for
Professional Services for District Legal Counsel

March 4, 2020

**SOUTH SAN LUIS OBISPO COUNTY SANIATION DISTRICT
REQUEST FOR PROPOSALS
FOR
DISTRICT LEGAL COUNSEL**

I. INTENT

The South San Luis Obispo County Sanitation District (SSLOCSD) is seeking to contract with an experienced municipal law attorney or law firm to serve as its general legal counsel. SSLOCSD invites interested individuals or firms with a minimum of 5 years of public law experience representing wastewater services districts, water agencies, special districts, cities, or other local governments to submit a written proposal to provide general legal services.

II. DISTRICT SERVICES

The SSLOCSD provides wastewater collection, treatment and disposal services to the three member agencies including the cities of Arroyo Grande and Grover Beach, and the Oceano Community Services District. In addition to collection and treatment services, the District also provides additional services including an Industrial/Commercial Pretreatment Program and Brine Disposal Program.

The District is governed by a three-member body known as the District Board; which includes one representative from each of its member agencies, specifically, the City of Arroyo Grande, the City of Grover Beach and the Oceano Community Services District.

Further information about the SSLOCSD is available on the district website (<http://sslocsd.org>)

III. SCOPE OF WORK

Although the following list is not intended to be exclusive, district legal counsel is expected to provide the services listed below:

- Advise the Board of Directors, District Administrator and staff on issues related to wastewater and water law, contracts related to providing services, and labor law.
- Advise the Board of Directors, District Administrator, and staff on commencement or defense of litigation; and litigate such issues as directed.
- Advise SSLOCSD's Board of Directors, District Administrator and staff on the Brown Act, parliamentary procedures for running meetings, and public official conflict requirements.

- Provide legal advice to the District Administrator and District staff including alerts on any changes of law that will impact the SSLOCSD.
- Prepare and/or review all ordinances, resolutions, contracts, joint powers agreements and other agreements entered into by the District.
- Research and submit legal opinions on various topics as requested by the Board of Directors and/or the District Administrator.
- Recommend for approval Special Counsel from time to time, on matters customarily warranting such need by reason of special expertise.
- Enforce District ordinances and regulations through administrative and judicial actions as requested by the Board and/or the District Administrator.
- Attend Board meetings as requested, including review of draft Agenda items.
- Return all phone calls and emails from the Board of Directors and any staff members within a reasonable amount of time.

IV. REQUESTS FOR PROPOSALS

A. Inquiries

All inquiries by interested attorneys concerning this Request for Proposal must be directed in writing to SSLOCSD's District Administrator, Jeremy Ghent, PE, at the District offices c/o Amy Simpson (amy@sslocsd.us) located at 1600 Aloha Place/P. O. Box 339, Oceano, CA 93475. **All inquiries must be physically received no later than noon on Friday, March 27, 2020.** Responses to all inquiries will be posted on the District website on April 3, 2020.

B. Proposal Submission

Interested attorneys and/or firms should submit one (1) signed original and five (5) copies of their proposals with all attachments. Additionally, attorneys or firms shall provide the District with an electronic copy sent to Mr. Jeremy Ghent, PE c/o Amy Simpson at (amy@sslocsd.us). Please mark the original as the "Master Copy." The Master Copy will be used to resolve any discrepancies between the copies. All proposals will be retained by SSLOCSD upon submission.

Proposals must be physically received by SSLOCSD no later than noon on Thursday, April 9, 2020. Any proposal submitted after this time will not be considered. Proposals must be received timely by SSLOCSD offices and addressed as follows:

Mr. Jeremy Ghent, PE
South San Luis Obispo County Sanitation District
1600 Aloha Place/P. O. Box 339
Oceano, CA 93475

C. Proposal Format and Content

Each proposal shall include as a minimum, the following information in this format:

- 1) Cover letter that includes
 - i. Signature of the individual who is authorized to contractually bind the firm
 - ii. Name, title, address, telephone number and email address of the individual to whom correspondence and other contacts should be directed during the selection process
 - iii. An explanation of the firm's understanding of the desired work
 - iv. A brief narrative of the firm's background and history

- 2) A description of qualifications that includes:
 - i. Legal name of the firm
 - ii. Attorney and/or firm résumé
 - iii. Firm's experience in providing legal services to wastewater services districts or governmental other entities
 - iv. Any additional information that SSLOCSD would need to know in terms of assessing the firm's qualifications and experience
 - v. Contact information of three references from other government agencies or clients for whom the firm has performed similar services in the past 5 years

- 3) Cost proposal

Submit a cost proposal that includes a schedule of all hourly rates for all classifications of positions necessary to carry out legal services for SSLOCSD (this would include hourly rates for partners, associates, paralegals, travel costs, etc.) and attendance at Board of Director meetings.

V. SELECTION PROCESS

A. Evaluation of Proposals

Proposals will be evaluated based on the following:

- 1) Relative experience of the firm in providing legal services for wastewater services districts or other public entities, and in providing services similar to those listed in Section III
- 2) Thoroughness of proposal
- 3) Ability of firm to meet the needs of SSLOCSD
- 4) Costs of services

The top attorneys and/or firms will be contacted no later than April 17, 2020. Additional information may be requested from top ranking firms and SSLOCSD reserves the right to select a firm that will best serve the District's needs as determined by the Board of Directors and SSLOCSD staff.

B. Selected General Terms of the Agreement

If a contract cannot be negotiated with a selected attorney or firm for any reason, SSLOCSD reserves the right to select another attorney or firm. In submitting a proposal, the firm is representing that it possesses the licenses and qualifications to practice law in the state of California.

The fees and costs offered by the attorney and/or firms is considered to be a **firm offer** for the scope of services described in Section III and may not be altered after receipt by SSLOCSD (this does not foreclose the potential to renegotiate fees and costs at a later date once the attorney/firm is retained).

Any firm selected will be considered an independent contractor.

If selected, the attorney/firm would be required to produce evidence of adequate malpractice insurance. The firm would be required to maintain such insurance throughout its relationship with the SSLOCSD.

Even if selected, the SSLOCSD would reserve the right to terminate any agreement reached with the selected firm at any time and in any appropriate manner.