



**REQUEST FOR PROPOSAL
TO PROVIDE
BOND COUNSEL SERVICES
TO
SOUTH VALLEY WATER RECLAMATION FACILITY**

PROPOSALS WILL BE ACCEPTED UNTIL 3:00 P.M. ON OCTOBER 19, 2017.

INTRODUCTION

The South Valley Water Reclamation Facility (“SVWRF”) is soliciting competitive sealed proposals from qualified firms with significant, high-level special district bond counsel experience to serve as SVWRF’s bond counsel. SVWRF desires to enter into a multi-year agreement with an experienced and capable firm (hereinafter referred to as “Consultant”) to provide bond counsel services as specified in this Request for Proposal (this “RFP”).

SCOPE OF SERVICES

The firm selected will be expected to provide all services outlined in the Scope of Services, attached hereto as Exhibit 1 and incorporated herein by this reference, as well as all services customary to and generally contemplated to be within the scope of duties of a fully qualified bond counsel and to work cooperatively with SVWRF and other members of the SVWRF team.

PROPOSAL REQUIREMENTS

Proposals will be accepted until 3:00 p.m. on October 19, 2017.

Please provide five (5) copies of the proposal. The proposal shall not exceed ten (10) 8 ½ x 11-inch pages and shall be in letter format. The font size shall be no smaller than size 11. Special covers or binding are not allowed (a simple staple in the upper left-hand corner is preferred). Resumes of key team members may be attached to the proposal. Resumes will not count toward the page limit specified above. Proposals shall be signed by an authorized representative. Proposals must be submitted in a sealed envelope which is clearly marked with “Proposal for Bond Counsel” along with the name and address of the Consultant submitting the proposal. Only hand-delivered or mailed hard-copy proposals will be accepted; e-mailed proposals and faxed proposals will not be accepted. All proposals must be delivered or sent to the following address by the date and time given above:

Lee Rawlings
General Manager
South Valley Water Reclamation Facility
7495 South 1300 West
West Jordan, Utah 84084

The following items shall be addressed in the proposal, in the order shown, in addition to any other items described in this RFP:

1. Company Information.

- a. Provide a general description of the firm including the company name, type of organization, size and structure, principal office address, phone number, website, location of office(s) where the actual work will be performed, and location of key personnel.
- b. Describe the level of malpractice insurance carried, to cover errors and omissions, improper judgments or negligence.
- c. Generally, describe your philosophy and practice in working with SVWRF staff and how you view the division of responsibility and work.

2. Experience and Qualifications.

- a. Describe in general the firm's national, statewide and local service capabilities. Address relevant experience and capabilities with both tax exempt and taxable revenue bonds in the state of Utah and other financing instruments which may be applicable to SVWRF. List other areas of practice applicable to SVWRF's bond issuance including, but not limited to, tax and securities expertise.
- b. Provide a statement indicating the firm's financial and organizational capability in Utah to support the assigned principal bond attorney and to provide the full scope of bond counsel services in a professional, complete and timely manner.
- c. Describe the firm's experience in tax matters and identify the attorneys, if any, who practice full time in the area of public finance tax law. Do not reference any attorney relationships outside of the respondent firm.
- d. Describe the experience of the firm with and its approach to applicable federal securities laws and regulations and identify the attorneys, if any, who practice full time in the area of municipal securities law. Do not reference any attorney relationships outside of the respondent firm.
- e. Provide at least three (3) references of current and/or former clients for whom the designated principal bond attorney assigned to SVWRF has served as bond counsel for Utah tax exempt municipal revenue bond issues since 2010. For each reference, include the organization name and address, and the name, title, telephone number and email address of a contact person for that reference. References must include experience with tax-exempt revenue bonds in the state of Utah.
- f. State any other qualifications, experience or bond financing which you consider to be significant, innovative or otherwise relevant to SVWRF's consideration of your firm.

3. Consultation Team. Identify key staff members of the Consultant, sub-consultants, or special consultants that will be committed to this agreement, including the following:

- a. For the designated principal bond attorney and each supporting bond attorney assigned to SVWRF, include a résumé (which includes their normal work location) with emphasis on relevant experience and number of years' experience with municipal bonds and/or tax exempt securities. No reassignment of the designated principal bond attorney will be allowed without prior written approval of SVWRF's General Manager.
- b. List the assigned administrative support staff who will work with the assigned principal bond attorney to provide Bond Counsel services to SVWRF.

4. Potential Conflicts.

- a. Disclose and explain any real or potential problems, including but not limited to, litigation filed against the Consultant in the past five (5) years which is related to the services being proposed herein, and/or disciplinary actions. The disclosures should include the principal and supporting bond attorneys and the firm; and should cover past and pending matters within the past ten (10) years that might reflect on compliance with all professional standards, regulations, and laws. Disclosure should include any bond transactions that the firm or individual has been involved with that has lost (or is now subject to the loss of) its tax-exempt status. Disclosures should include any contributions that have been made to any officials of SVWRF. The Consultant must immediately advise SVWRF in writing of any real or possible conflicts that arise after the submission of the proposal.
- b. Provide an affirmative statement that retaining the respondent as bond counsel to SVWRF will not result in any conflict of interest or potential conflict of interest with SVWRF. Advise SVWRF of any potential conflict of interest and any proposed resolution of such conflict.

5. Fee Proposal. Provide the standard, non-discounted, hourly rate for each billing member of your proposed team. Provide any discount to such hourly rates, if any. In addition to hourly rates, provide an alternative fee structure for bond issuances.

EVALUATION CRITERIA

Best and final offers may be allowed from responsible Consultants who submit responsive proposals that meet minimum qualifications, evaluation criteria, or applicable score thresholds identified in this RFP. An evaluation and selection committee will meet to consider all responsible and responsive proposals submitted and rank the proposals based on the criteria stated below. If a responder is eliminated during the evaluation process, the firm will be notified in writing.

The evaluation categories shall be as follows:

- Demonstrated Qualifications and Expertise
- Depth of Utah Support Team
- Responsiveness of Proposal
- Past Performance
- Cost Proposal/Strategy

Each member of the evaluation committee will assign points to each applicable evaluation category based on a 1-5 scale according to the following scoring methodology:

Five points (Excellent):	The proposal addresses and exceeds all of the requirements described in the RFP.
Four points (Very Good):	The proposal addresses all of the requirements described in the RFP and, in some respects, exceeds them.
Three points (Good):	The proposal addresses all of the requirements described in the RFP in a satisfactory manner.
Two points (Fair):	The proposal addresses the requirements described in the RFP in an unsatisfactory manner.
One point (Poor):	The proposal fails to address the requirements described in the RFP or addresses the requirements inaccurately or poorly.

EVALUATION PROCESS

Phase 1:

The evaluation committee will review all proposals that are timely received. Proposals that are not responsible, responsive, or do not comply with the requirements of this RFP and the requested submission format will be eliminated from consideration.

Phase 2:

The evaluation committee will evaluate proposals that are not eliminated in Phase 1 in accordance with the criteria listed above. Proposals that achieve a total technical score of eighteen (18) points or more will be designated as finalists and will move on to Phase 3.

Phase 3:

If needed, discussions may be conducted with Consultants who were not eliminated in Phase 1 or Phase 2. The discussions may be conducted in person or by telephone. The scores awarded under Phase 2 could thereafter be adjusted, if justified. If discussions are deemed unnecessary, proposals may be evaluated and ranked without discussions.

Phase 4:

After the adjustments described in Phase 3 are made, if any, each finalist will receive a final ranking.

Phase 5:

SVWRF may award a contract from this RFP to the responsible Consultant who is most advantageous to SVWRF based on the evaluation criteria, or as otherwise deemed to be in the best interests of SVWRF. SVWRF reserves the right to reject any and all proposals and/or waive informalities and minor irregularities in the proposals received. SVWRF may award a contract on the basis of the initial proposal received, without discussions. Therefore, the initial proposal should contain the Consultant's best terms from a technical and cost standpoint. SVWRF also reserves the right to extend the submission deadline at its sole discretion if SVWRF deems such an extension necessary. SVWRF reserves the right to reject any and all proposals for any reason.

The contract may be for a period of up to five (5) years, and may be canceled at any time with or without cause upon thirty (30) days' written notice from either SVWRF or the firm.

MISCELLANEOUS

SVWRF's General Manager will be the primary contact in relation to this RFP. All questions regarding this RFP shall be directed to:

Lee Rawlings
General Manager
South Valley Water Reclamation Facility
7495 South 1300 West
West Jordan, Utah 84084
(801) 566-7711
lrawlings@svwater.com

All questions regarding this RFP must be submitted to the General Manager no later than 3:00 p.m. on October 19, 2017.

Exhibit 1

Scope of Services for Bond Counsel

Should South Valley WRF (“the Facility”) determine it is in their best interest to enter into the bonding process the Facility will retain legal counsel to represent them in the transaction. The Bond Counsel will;

- 1- Confirm that the Facility is legally allowed to issue the bonds.
- 2- Confirm that the debt is a legally binding obligation to the issuer.
- 3- Ensure that the issue is properly announced.
- 4- Ensure that the bond certificates have been legally printed.
- 5- Issue a legal opinion.
- 6- It is expressly understood that Bond Counsel will not limit its work to the steps outlined but will extend services as necessary to insure that all projects are brought to a successful conclusion on behalf of the Facility in a most professional and satisfactory manner and in a manner that best promotes the interests of the Facility.
- 7- Engage in any other service as assigned or negotiated in order to benefit the Facility.
- 8- Provide any legal advice the Facility may require.